

BUILDING A STRONG FOUNDATION  
in a Rapidly Changing Environment

THE SILC DIFFERENCE  
"YES, YOU CAN!"

January 22-23, 1997  
Orlando, Florida

IL NET  
NCIL/ILRU National Training & Technical Assistance Project

1997 ILRU Program  
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NCIL/ILRU National  
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#### AGENDA

Wednesday, January 22, 1997

|             |  |
|-------------|--|
| 9:00-9:15   | Introductions and Housekeeping               |
| 9:15-9:30   | Icebreaker                                   |
| 9:30-10:30  | History and Philosophy of Independent Living |
| 10:30-10:45 | Break  |
| 10:45-11:45 | Review of the Rehabilitation Act             |
| 11:45-1:15  | Lunch  |
| 1:15-1:30   | Introduction to SILCs                        |
| 1:30-2:30   | SILC Appointments and Composition            |
| 2:30-2:45   | Break  |
| 2:45-3:45   | SILC Roles and Responsibilities              |
| 3:45-4:15   | Duties and Collaboration                     |
| 4:15-5:00   | Scenario One                                 |

Thursday, January 23, 1997

|                          |   |
|--------------------------|---|
| 9:00-10:30               | Funding SILC Activities                       |
| 10:30-10:45              | Break   |
| 10:45-11:45              | SILC Innovations                              |
| 11:45-1:15               | Lunch   |
| 1:15-3:00<br>assurances) | CIL Requirements (definitions, standards, and |
| 3:00-3:15                | Break   |
| 3:15-3:50                | Scenario Two                                  |
| 3:50-4:00                | Evaluation and Wrap-up                        |

LIST OF TRAINERS  
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## ABOUT THE TRAINERS

BOB MICHAELS is co-director of curriculum development and training with the IL NET and is training and technical assistance associate with ILRU. Prior to his position with ILRU, Bob was president and chief executive officer of Liberty Resources, Inc., in Philadelphia, Pennsylvania, for four years.

Bob has also served as director of the Arizona Bridge to Independent Living in Phoenix, Arizona, and on both the Arizona and Pennsylvania state independent living councils. He has been chair of the Rehab Act Subcommittee for the National Council on Independent Living (NCIL) for the past ten years. Bob has written numerous articles and briefs on the Rehab Act and related topics and has conducted training programs for CILs and SILCs nationwide.

GINA MCDONALD is executive director of the Kansas Association of Centers for Independent Living, a statewide organization dedicated to advocacy on behalf of independent living centers in that state. Gina currently serves as president on the board of the National Council on Independent Living and is chair of the Kansas Statewide Independent Living Council.

These extensive current responsibilities follow eighteen years of professional experience in the development, management, and training of independent living programs, centers, and associations. Prior to her current positions, Gina served as program administrator for the consumer attendant care and head injury services for the state of Kansas and was executive director of the WHOLE PERSON, Inc., an independent living center in Kansas City, Missouri.

## ABOUT NCIL

Founded in 1982, the National Council on Independent Living is a membership organization representing independent living centers and individuals with disabilities. NCIL has been instrumental in efforts to standardize requirements for consumer control in management and delivery of services provided through federally-funded independent living centers.

Until 1992, NCIL's efforts to foster consumer control and direction in independent living

services through changes in federal legislation and regulations were coordinated through an extensive network and involvement of volunteers from independent living centers and other organizations around the country. Since 1992, NCIL has had a national office in Arlington, Virginia, just minutes by subway or car from the major centers of government in Washington, D.C. While NCIL continues to rely on the commitment and dedication of volunteers from around the country, the establishment of a national office with staff and other resources has strengthened its capacity to serve as the voice for independent living in matters of critical importance in eliminating discrimination and unequal treatment based on disability.

Today, NCIL is a strong voice for independent living in our nation's capital. With your participation, NCIL can deliver the message of independent living to even more people who are charged with the important responsibility of making laws and creating programs designed to assure equal rights for all.

#### ABOUT ILRU

The Independent Living Research Utilization (ILRU) Program was established in 1977 to serve as a national center for information, training, research, and technical assistance for independent living. In the mid-1980's, it began conducting management training programs for executive directors and middle managers of independent living centers in the U.S. Since 1985, it has operated the ILRU Research and Training Center on Independent Living at TIRR, conducting a comprehensive and coordinated set of research, training, and technical assistance projects focusing on leading issues facing the independent living field.

ILRU has developed an extensive set of resource materials on various aspects of independent living, including a comprehensive directory of programs providing independent living services in the U.S. and Canada.

ILRU is a program of TIRR, a nationally recognized, free-standing rehabilitation facility for persons with physical disabilities. TIRR is part of TIRR Systems, a not-for-profit corporation dedicated to providing a continuum of services to individuals with disabilities. Since 1959, TIRR has provided patient care, education, and research to promote the integration of people

with physical and cognitive disabilities into all aspects of community living.

## IL NETWORK RESOURCE MATERIALS

The IL NETWORK: National Training and Technical Assistance project, a collaboration of the National Council on Independent Living (NCIL) and the Independent Living Research and Utilization (ILRU) Program, is committed to promoting a national network of centers for independent living, statewide independent living councils, and others involved in the independent living field. Through training and technical assistance activities, project staff seek to provide individuals at all levels of expertise with educational and networking opportunities.

To enhance our ability to reach as wide an audience as possible, we are making many of our training materials available in the form of individual fact sheets and packets. The following is a description of resource materials concerning the Rehab Act, statewide independent living councils, state IL plans, funding, and other topics. These materials may be duplicated without acquiring permission, providing that the following credit is given to the project: "Developed as part of the IL NETWORK: NCIL/ILRU National Training & Technical Assistance Project."

All materials are available in accessible formats, including copies available to download in either WordPerfect or ASCII from DIMENET in the IL\_NETWORK file area. For fact sheets about the Rehab Act, download file 'rehab1.wp' or 'rehab1.asc.' For fact sheets about SILCs, download 'silcpak1.wp' or 'silcpak1.asc.' You will also find each piece of the packets available individually. For assistance with downloading call (808) 880-5325 (v/TTY) or (513) 439-0071 (v), 439-0072 (TTY).

For further information or technical assistance, contact ILRU at (713) 520-0232 (v), 520-5136 (TTY) or NCIL at (703) 525-3406 (v), 525-3407 (TTY).

### FACT SHEETS ABOUT THE REHAB ACT

Amendments to the Rehab Act: 1986 & 1992: A Comparison--a set of charts showing changes in the Rehab Act which occurred from 1986 to 1992.

Where to Get Information About the Rehabilitation Act--how to obtain copies of the Rehab Act and related background information from the government, from public records, and from DIMENET, the national computer bulletin board for independent living.

Terminology Related to the Legislative and Regulatory Process--  
explanations of terms and  
concepts related to the legislative process.

Key OSERS Staff--a listing of top-level staff members of the Office of  
Special Education and  
Rehabilitation Services, the Rehabilitation Services Administration, and the  
National Institute  
on Disability and Rehabilitation Research (NIDRR).

## FACT SHEETS ABOUT STATEWIDE INDEPENDENT LIVING COUNCILS (SILCs)

Composition of Statewide IL Councils--an easily understood overview of SILC responsibilities, composition criteria, and examples of some of the problems faced by state IL councils with direct, concrete suggestions for dealing with them.

Questions About SILC Governance--identifies many of the pivotal questions an organization can use to establish the bylaws with which it governs itself; covers specific questions for councils operating as private, nonprofit corporations and seeking a tax exempt status.

What Every SILC Member Should Know--a checklist of basic information that each SILC member should understand in order to be an effective, voting participant of a statewide IL planning body.

Prototype Job Descriptions--basic duties, authorities, and qualifications for the SILC chair, vice-chair, secretary, treasurer, and member; intended as a guideline from which to build individualized descriptions.

SILC Profile Analysis--a grid designed to reveal a basic profile of any SILC by mapping characteristics and affiliations of the members; simple, easy-to-follow instructions show whether or not a council is consumer controlled according to legal mandate.

SILC Membership Compliance Assessment--a checklist for determining whether or not your SILC is in compliance with the compositional guidelines outlined in section 705(b)(2) the Rehab Act.

Directory of Statewide IL Councils--a complete list of all SILCs with contact information for state chairs; current as of May 1995.

## AUTHORIZED USES OF FUNDS AVAILABLE TO THE STATE IL COUNCIL

Authorized Uses of Title VII, Part B--this document gives an overview of the history and development of Title VII, with an emphasis on gains made in controlling how the dollars allotted to support independent living programs and services are spent.

Funding Under SILC Jurisdiction--identifies funding sources available to the statewide IL council: Title VII, Parts B and C, Title I, Part C, Social Security Reimbursement Funds, and private or other sources.

Funding for Title VII, Part B: Fiscal Years 1994 & 1995--exact 1995  
dollar amounts allocated  
from this source for each state and territory.

Funding for Title VII, Part C: Fiscal Year 1994--dollar amounts by state  
and territory showing  
1994 allotments as well as post-reallotment amounts for fiscal year 1993.  
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Developed by the IL NETWORK: NCIL/ILRU National Training and Technical  
Assistance Project.

Requests for technical assistance on this and other independent living  
subjects may be directed to the IL  
NETWORK Project, c/o ILRU at (713)520-0232 (v), 520-5136 (TTY), 520-5785  
(Fax), or NCIL at  
(703) 525-3406 (v), 525-3407 (TTY), 525-3409 (Fax).

## NATIONAL RESOURCES ON INDEPENDENT LIVING

Several national organizations have been established to provide technical assistance on particular concerns relevant to issues in independent living.

### National Council on Independent Living

Founded in 1982, NCIL is a membership organization representing independent living centers and individuals with disabilities. NCIL has been instrumental in efforts to incorporate independent living philosophy in federal legislation and regulations. National headquarters are located outside Washington, D.C. at 2111 Wilson Blvd., Suite 405, Arlington, VA 22201; (703) 525-3406 (v), 525-3407 (TTY), 525-3409 (fax).

### Association of Programs for Rural Independent Living

One of the best resources for information about rural independent living is APRIL.

Established in 1986, APRIL is an association of 33 centers and other organizations and individuals across the country serving a predominantly rural constituencies. For further information, contact APRIL president Michael Mayer at the Summit Independent Living Center, 1900 Brooks Street, #120, Missoula, Montana 59801, (406) 728-1630 (v/TTY), or Linda Tonsing Gonzales at 1919 Kiva Road, Santa Fe, New Mexico, 87505, (505) 984-8035 (v/fax).

### Disability and Business Technical Assistance Centers on ADA

There are ten regional DBTACs funded by the National Institute on Disability and Rehabilitation Research, the U.S. Department of Education, to provide technical assistance and training on the Americans with Disabilities Act (ADA). The Southwest DBTAC, operated by ILRU, features an Hispanic outreach program. By calling 1-800-949-4232 from anywhere in the country, your call will be routed automatically to the appropriate regional DBTAC.

### American Disabled for Attendant Programs Today

One of the oldest and most active grassroots disability rights advocacy groups is ADAPT.

Following its tremendous success in advocating for accessible transportation, ADAPT has

focused its mission on personal assistance services. With local chapters in many cities

around the country, ADAPT is centered in Colorado at 201 South Cherokee St., Denver, CO

80223; (303) 733-9324 (v), 733-6211 (fax).

#### Disability Rights Education and Defense Fund

DREDF is an organization dedicated to promoting the civil rights of individuals with

disabilities through research, education, and advocacy. The DREDF offices are located at

1633 Q St., NW, Suite 220, Washington, D.C. 20009; (202) 986-0375 (v), 462-5624 (fax)

and 2212 Sixth Street, Berkeley, CA 94710; (510) 644-2555 (v), 841-8645 (fax).

#### Disabled Individuals Movement for Equality Network

DIMENET is a computer network that serves the independent living and disability rights

movements. It was established in 1985 to meet the demand for a computer network that

directly serves the interests of all people with disabilities and that is fully accessible to

people with visual impairments. You can access DIMENET from any of three host sites:

(508) 880-5412 (Taunton, MA), (513) 341-5205 (Dayton, OH), and (918) 582-3622 (Tulsa, OK).

If you have problems or questions regarding accessing DIMENET, technical assistance is

also available from individuals at DIMENET regional host sites: Taunton (508) 880-5325

(v/TTY), Dayton (513) 439-0071 (v), 439-0072 (TTY), and Tulsa (918) 592-1235 (v/TTY).

Additional help may be obtained from Roland Sykes at (513) 237-8360 (v) or Paul Spooner

at (508) 875-7853 (v/TTY).

#### Independent Living Research Utilization Program

ILRU Program is a national center for information, training, research, and technical

assistance on independent living. Founded in 1977, its goal is to expand the body of

knowledge in independent living and to improve utilization of results of related research and

demonstration projects. ILRU, 2323 S. Shepherd, Suite 1000, Houston, TX 77019; (713) 520-0232 (v), 520-5136 (TTY), and 520-5785 (fax).

#### World Institute on Disability

Originally founded in 1983 from within the grassroots disability rights movement, WID's focus is now international in scope. WID conducts research and training in public policy, personal assistance services, and independent living from its headquarters at 510 16th Street, #100, Oakland, CA 94612; (510) 763-4100 (v/TTY).

#### RESEARCH AND TRAINING CENTERS ON INDEPENDENT LIVING

Four research and training centers funded by the National Institute on Disability and Rehabilitation Research (NIDRR), U.S. Department of Education, focus on independent living.

They are:

the ILRU Research and Training Center on Independent Living at TIRR;  
the RTC: IL at the University of Kansas;  
the RTC on Personal Assistance Services at the World Institute on Disability (WID); and  
the RTC on Public Policy and Independent Living, also at WID.

All four centers conduct research and training projects designed to address the needs of individuals with disabilities, as well as state and private entities involved with independent living. More information about each is given below.

#### ILRU Research and Training Center on Independent Living at TIRR

The goals of the ILRU RTC are to enhance management performance in independent living centers through improved management and operational practices developed and tested in research-based models, and disseminated through training, technical assistance, and materials development projects. A major emphasis of these training and technical assistance projects is the promotion of networking among individuals and organizations in the independent living field. ILRU RTC is guided by the independent living philosophy, particularly with regard to the substantial involvement of people with disabilities at all levels of RTC operations.

Director: Lex Frieden  
Associate Director: Quentin Smith

Director of Research: Peg Nosek  
Director of Training: Laurel Richards  
Coordinating Director: Laurie Gerken Redd

For more information, contact: ILRU Program  
2323 S. Shepherd, Suite 1000  
Houston, TX 77019  
(713) 520-0232 (v), 520-5136 (TTY),  
520-5785 (fax)  
URL: <http://www.bcm.tmc.edu/ilru>

Research and Training Center on Independent Living at the University of  
Kansas

The University of Kansas operates a national research and training  
center which focuses on  
aspects of independent living particular to rural and other underserved  
populations, including  
persons with cognitive and psychiatric disabilities. In addition, the RTC  
conducts consumer  
control training, conducts research in prevention of secondary health  
conditions in people with  
disabilities, and studies successful attainment of vocational rehabilitation  
goals.

Director: Glen W. White  
Co-Director: James F. Budde  
Assistant Director: John Youngbauer  
Training Director: Kenneth J. Golden

For more information, contact: RTC-IL at Kansas  
4089 Dole Building  
University of Kansas  
Lawrence, KS 66045  
(913) 864-4095 (v/TTY), 864-5063 (fax)  
URL: <http://www.lsi.ukans.edu/rtcil/rtcbroc.htm>

The Research and Training Center on Public Policy and Independent Living

Funded by NIDRR at the World Institute on Disability, the RTC-PPIL  
conducts research and  
training on major disability policy issues including independent living,  
leadership development,  
peer support, and community integration. In addition, WID is attempting to  
establish the first  
full curriculum for disability studies. The program will offer courses of  
study at the  
undergraduate, graduate, professional training, and continuing education  
levels.

Director: Herb Leibowitz  
Director of Research: Tanis Doe

For more information, contact: RTC-PPIL  
World Institute on Disability  
510 16th Street, Suite 100  
Oakland, CA 94612-1500

(510) 763-4100 (v/TTY), 763-4109 (fax)

The Research and Training Center on Personal Assistance Services at WID

One of two RTCs operated by WID, the RTC-PAS was established for the purpose of creating greater understanding about how personal assistance service systems can further the self-sufficiency and economic independence of individuals with disabilities. The RTC will perform a comprehensive evaluation of PAS programs across the country and will seek to define effective PAS from the consumer's point of view. In developing new service programs, the RTC-PAS also focuses on underserved or unserved populations.

Director of Training: Simi Litvak  
Research Assistant: Valerie Bivona

For more information, contact: RTC-PAS  
World Institute on Disability  
510 16th Street, Suite 100  
Oakland, CA 94612-1500  
(510) 763-4100 (v), 208-9493 (TTY), 763-4109

(fax)

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Developed by the IL NETWORK: NCIL/ILRU National Training and Technical Assistance Project. Requests for technical assistance on this and other independent living issues may be directed to the IL NETWORK Project, c/o ILRU at (713) 520-0232 (v), 520-5136 (TTY), 520-5785 (fax), or NCIL at (703) 525-3406 (v), 525-3407 (TTY), 525-3409 (fax).

READINGS FOR THE  
INDEPENDENT LIVING AND DISABILITY RIGHTS MOVEMENTS

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DeJong, Gerben. "Physical Disability and Public Policy." Scientific American 248, no. 6 (June 1983): 40-49.

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Fasser, Carl E., Quentin Smith, Lex Frieden, Laura W. Smith, J. David Holcomb. "Addressing the Health Care Needs of People with Disabilities." Journal of the American Academy of Physician Assistants 7, no. 1 (January 1994): 26-32.

Kailes, June. "Language is More Than a Trivial Concern!" (1984) reprinted in Disability Pride and A Guide to Planning Accessible Meetings (available through ILRU publications).

Kailes, June Isaacson. Disability Pride: The Interrelationship of Self-Worth, Self-Empowerment, & Disability Culture. Houston: ILRU Program, 1993.

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Kailes, June Isaacson. Putting Advocacy Rhetoric Into Practice: The Role of the Independent Living Center. Issues in Independent Living No. 8. Houston: ILRU Program, 1988.

Lachat, Mary Ann. An Evaluation and Management Information System for Independent Living. Staying on Track: ILRU Management Support Series. Houston: ILRU Program, 1988.

Lachat, Mary Ann. The Independent Living Service Model: Historical Roots, Core Elements, and Current Practice. Hampton: Center for Resource Management, 1988.

National Council on the Handicapped (now the National Council on Disability). Toward

Independence: An Assessment of Federal Laws and Programs Affecting Persons with Disabilities - With Legislative Recommendations. February 1986. Available from NCD, 1331 F Street, NW, Suite 1050, Washington, DC 20004 (202) 272-2004 (v), 272-2074 (TTY).

National Council on the Handicapped (now the National Council on Disability). On the Threshold of Independence: A Report to the President and the Congress of the United States. January 1988. Available from NCD (see above).

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Richards, Laurel and Quentin Smith. An Orientation to Independent Living Centers. Houston: ILRU Program, 1987.

Shapiro, Joseph P. No Pity. New York: Random House, Inc. 1993.

Shreve Maggie, Patricia Spiller, Eric Griffin, Nancy Waldron, and Lynda Stolzman.

Martha Williams, ed. Consumer Control in Independent Living. Available from: Center for Resource Management, 2 Highland Road, South Hampton, NH 03847; (603) 394-7040 (v/TTY), 394-7483 (fax).

Smith, Quentin, Lex Frieden, and Laurel Richards. "Independent Living." Encyclopedia of Disability and Rehabilitation. New York: Macmillan, Inc., (in press, 1994).

Smith, Quentin, Laura W. Smith, Kym King, Lex Frieden, and Laurel Richards. Health Care Reform, Independent Living, and People With Disabilities. Issues in Independent Living No. 11. Houston: ILRU Program, 1993.

United States Department of Education. Comprehensive Evaluation of the Title VII, Part B of the Rehabilitation Act of 1973, as Amended, Centers for Independent Living Program. January 1986. Available through clearinghouses (see below).

Willig, Chava Levy. A People's History of Independent Living. 1988. Available from the

Research and Training Center on Independent Living, 4089 Dole Building,  
University of Kansas  
66045; (913) 864-4095 (v/TTY).

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Giordiano, Gerard and Bruno J. D'Alonzo. "The Link Between Transition and Independent Living," 2-7.

Shreve, Maggie. "The Greater Vision: An Advocate's Reflections on the Rehabilitation Act Amendments of 1992," 8-13.

Smith, Laura W., Quentin W. Smith, Laurel Richards, Lex Frieden, and Kym King. "Independent Living Centers: Moving Into the 21st Century," 14-22.

Chappell, John A., Jr. "The Whole is Greater Than the Sum of its Parts," 23-29.

Moore, J. Elton and Barry C. Stephens. "Independent Living Services for Older Individuals Who are Blind: Issues and Practices," 30-34.

Montagano, Tim. "Bringing the Rehabilitation Family Together: An IL-VR Partnership," 35-36.

Lougheed, Val, Bev Hunter, and Susan Wilson. "Partners for Independence: A Team Approach to Community-Based Rehabilitation," 37-38.

Baker, David. "Independent Living in Communities: The Role of the Independence Fund in Vermont," 39-41.

Lachat, Mary Ann. "Using the Power of Management Information System Technology to Support the Goals of Centers for Independent Living," 42-48.

In a special issue on independent living in OSERS 6, no. 2 (Winter-Spring 1994):

French, Duane. "Independent Living: Driven By Principles of Democracy," 37-38.

Kafka, Bob. "Perspectives on Personal Assistance Services," 11-13.

Kennedy, Jae, Hale Zukas, and Simi Litvak. "Independent Living and Personal Assistance Services: The Research, Training, and Technical Assistance Programs at the World Institute on Disability," 43-45.

Mathews, Mark R. "Learning from the Experts: Best Practices in Rural Independent Living," 23-29.

Michaels, Robert E. "Title VII: A Major Step Forward," 8-10.

Nelson, John. "Changes in the Rehabilitation Act of 1973 and Federal Regulations," 4-8.

Smith, Quentin, Lex Frieden, Laurel Richards, and Laurie Gerken Redd. "Improving Management Effectiveness in Independent Living Centers through Research and Training," 30-36.

Tate, Denise and Julie Daugherty. "The Effects of Insurance Benefits Coverage: Does It Affect Persons with Spinal Cord Injury?" 19-22.

Westbrook, John D. "Consumer-Driven Supported Employment: Consolidating Services for People with Significant Disabilities," 14-18.

Ziegler, Martha. "How Parent Networks Are Working with Independent Living Centers," 39-42.

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Clay, Julie Anna. "Native American Independent Living," 41-50.

Curl, Rita M., Shanna M. Hall, Linda A. Chisholm, and Sarah Rule. "Co-workers as Trainers for Entry-level Workers: A Competitive Employment Model for Individuals with Disabilities," 31-35.

Nosek, Margaret. "The Personal Assistance Dilemma for People with Disabilities Living in Rural Areas," 36-40.

Potter, Carol G., Quentin W. Smith, Huong Quan, and Margaret A. Nosek. "Delivering Independent Living Services in Rural Communities: Options and Alternatives," 16-23.

Richards, Laurel and Quentin Smith. "Independent Living Centers In Rural Communities," 5-10.

Seekins, Tom, Craig Revesloot, and Bob Maffit. "Extending the Independent Living Center Model to Rural Areas: Expanding Services through State and Local Efforts," 11-15.

Smith, Quentin W., Carl E. Fasser, Stacy Wallace, Laurel K. Richards, and Carol G. Potter.

"Children with Disabilities in Rural Areas: The Critical Role of the Special Education Teacher in Promoting Independence," 24-30.

We Won't Go Away, videocassette. Sells for \$20 each, including postage, from the World

Institute on Disability, 510 16th Street, Suite 100, Oakland, CA 94612 (510) 763-4100 (v), 208-9493 (TTY).

The Disability Rag. A bi-monthly publication reflecting ideas and discussions in the disability rights movement. Available at \$12 for a one-year subscription. Write to: Subscriptions, The Disability Rag, 1962 Roanoke Ave, Louisville, KY 40205 (502) 459-5343 (v/TTY/fax).

Most of the readings cited above can be obtained from resource clearinghouses. Several are listed below and can be reached for further information about publications and modem-accessible databases by mail or telephone.

□ National Clearinghouse of Rehabilitation Training Materials, Oklahoma State University, 816 West Sixth Ave., Stillwater, OK 74078 (800) 223-5219.

□ National Rehabilitation Information Center (NARIC), 8455 Colesville Road, Suite 935, Silver Spring, MD 20910 (800) 346-2742 (v), 227-0216 (TTY).

□ ERIC Clearinghouse on Disabilities and Gifted Education (formerly the ERIC Clearinghouse on Handicapped and Gifted Children), 1920 Association Dr., Reston, VA 22091, (800) 328-0272 (v/TTY) at the Council for Exceptional Children, (703) 620-3660, ext. 307 (v).

ILRU also offers a number of publications and other materials on various independent living subjects. For a listing of resource materials contact ILRU at 2323 S. Shepherd, Suite 1000, Houston, TX 77019, (713) 520-0232 (v), 520-5136 (TTY).

For resource materials and technical assistance on the Americans with Disabilities Act, there are ten regional Disability and Business Technical Assistance Centers (DBTACs). One toll-free number, 1-800-949-4232, will direct your call to a technical assistant in your region. Resource materials are published by the U.S. Department of Justice and many are available free of charge.

The Southwest DBTAC in Houston, Texas offers technical assistance and some resource materials in Spanish as well as English.

Revised 6/95

Developed by the IL NETWORK: NCIL/ILRU National Training and Technical Assistance Project.

Requests for technical assistance on this and other independent living subjects may be directed to the IL NETWORK Project, c/o ILRU at (713) 520-0232 (v), 520-5136 (TTY), 520-5785 (Fax), or NCIL at (703) 525-3406 (v), 525-3407 (TTY), 525-3409 (Fax).

## LEARNING OBJECTIVES

What is in the Rehab Act . . . and how independent living fits in.

Who's supposed to be on the SILC (and why).

What SILCs are supposed to do.

How SILCs, CILs, and the DSU can work together.

What works around the country and . . .

. . . how to pay for it.

How not to be a pain in the neck and still get your job done.



OVERHEADS:  
HISTORY AND PHILOSOPHY OF INDEPENDENT LIVING

Independent living is not doing things by yourself, it is being in control of how things are done.

ILRU, Judy Heumann

Independent living is the conscious choice that individuals make to be responsible for managing significant issues in their lives.

June Isaacson Kailes

They soon found that they could get services needed and still not be accepted by society. They knew they needed to change the community's attitudes and reactions, including the service systems governed by those attitudes.

June Isaacson Kailes

The Chart--Disability Rights/Culture Pride Paradigm by Steven Brown. To obtain a copy, contact the Institute on Disability Culture, 2260 Sunrise Point Road, Las Cruces, NM 88011, (505) 522-5225.

An orientation to independent living philosophy and practice is not something you just hear and experience once. It is something we in the movement keep reviewing, discussing and refining to enhance and deepen our levels of understanding and practice.

June Isaacson Kailes

The disability community must become more galvanized. We're not a group needing services, we're a constituency demanding our rights.

Marca Bristo

# HISTORY OF INDEPENDENT LIVING

by

Gina McDonald and Mike Oxford

This account of the history of independent living stems from a philosophy which states that people with disabilities should have the same civil rights, options, and control over choices in their own lives as do people without disabilities.

The history of independent living is closely tied to the civil rights struggles of the 1950s and 1960s among African Americans. Basic issues--disgraceful treatment based on bigotry and erroneous stereotypes in housing, education, transportation, and employment--and the strategies and tactics are very similar. This history and its driving philosophy also have much in common with other political and social movements of the country in the late 1960s and early 1970s. There were at least five movements that influenced the disability rights movement.

## Social Movements

The first social movement was deinstitutionalization, an attempt to move people, primarily those with developmental disabilities, out of institutions and back into their home communities. This movement was led by providers and parents of people with developmental disabilities and was based on the principle of "normalization" developed by Wolf Wolfensberger, a sociologist from Canada. His theory was that people with developmental disabilities should live in the most "normal" setting possible if they were to be expected to behave "normally." Other changes occurred in nursing homes where young people with many types of disabilities were warehoused for lack of "better" alternatives (Wolfensberger, 1972).

The next movement to influence disability rights was the civil rights movement. Although people with disabilities were not included as a protected class under the Civil Rights Act, it was a reality that people could achieve rights, at least in law, as a class. Watching the courage of Rosa Parks as she defiantly rode in the front of a public bus, people with disabilities realized the more immediate challenge of even getting on the bus.

The "self-help" movement, which really began in the 1950s with the founding of Alcoholics

Anonymous, came into its own in the 1970s. Many self-help books were published and support groups flourished. Self-help and peer support are recognized as key points in independent living philosophy. According to this tenet, people with similar disabilities are believed to be more likely to assist and to understand each other than individuals who do not share experience with similar disability.

Demedicalization was a movement that began to look at more holistic approaches to health care. There was a move toward "demystification" of the medical community. Thus, another cornerstone of independent living philosophy became the shift away from the authoritarian

medical model to a paradigm of individual empowerment and responsibility for defining and meeting one's own needs.

Consumerism, the last movement to be described here, was one in which consumers began to question product reliability and price. Ralph Nader was the most outspoken advocate for this movement, and his staff and followers came to be known as "Nader's Raiders." Perhaps most fundamental to independent living philosophy today is the idea of control by consumers of goods and services over the choices and options available to them.

The independent living paradigm, developed by Gerben DeJong in the late 1970s (DeJong, 1979), proposed a shift from the medical model to the independent living model. As with the movements described above, this theory located problems or "deficiencies" in the society, not the individual. People with disabilities no longer saw themselves as broken or sick, certainly not in need of repair. Issues such as social and attitudinal barriers were the real problems facing people with disabilities. The answers were to be found in changing and "fixing" society, not people with disabilities. Most important, decisions must be made by the individual, not by the medical or rehabilitation professional.

Using these principles, people began to view themselves as powerful and self-directed as opposed to passive victims, objects of charity, cripples, or not-whole. Disability began to be seen as a natural, not uncommon, experience in life; not a tragedy.

### Independent Living

Ed Roberts is considered to be the "father of independent living." Ed became disabled at the age of fourteen as a result of polio. After a period of denial in which he almost starved himself to death, Ed returned to school and received his high school diploma. He then wanted to go to college. The California Department of Rehabilitation initially rejected Ed's application for financial assistance because it was decided that he was "too disabled to work." He went public with his fight and within one week of doing so, was approved for financial aid by the state. Fifteen years after Ed's initial rejection by the State of California as an individual who was "too" disabled, he became head of the California Department of Rehabilitation--the agency that had once written him off.

After Ed earned his associate's degree at the College of San Mateo, he applied for admission to the University of California at Berkeley. After initial resistance on the part of the university, Ed was accepted. The university let him use the campus hospital as his dormitory because there was no accessible student housing (none of the residential buildings could support the weight of Ed's 800-lb. iron lung). He received attendant services through a state program called "Aid to the Totally Disabled." This is a very important note because this was consumer-controlled personal assistance service. The attendants were hired, trained, and fired by Ed.

In 1970, Ed and other students with disabilities founded a disabled students' program on the Berkeley campus. His group was called the "Rolling Quads." Upon graduation, the "Quads" set their sights on the need for access beyond the University's walls.

Ed contacted Judy Heumann, another disability activist, in New York. He encouraged her to come to California and along with other advocates, they started the first center for independent living in Berkeley. Although it started out as a "modest" apartment, it became the model for every such center in the country today. This new program rejected the medical model and focused on consumerism, peer support, advocacy for change, and independent living skills training.

In 1983, Ed, Judy, and Joan Leon, co-founded the World Institute on Disability (WID), an advocacy and research center promoting the rights of people with disabilities around the world. Ed Roberts died unexpectedly on March 14, 1995.

The early 1970s was a time of awakening for the disability rights movement in a related, but different way. As Ed Roberts and others were fighting for the rights of people with disabilities presumed to be forever "homebound" and were working to assure that participation in society, in school, in work, and at play was a realistic, proper, and achievable goal, others were coming to see how destructive and wrong the systematic institutionalization of people with disabilities could be. Inhuman and degrading treatment of people in state hospitals, schools and other residential institutions such as nursing facilities were coming to light and the financial and social costs were beginning to be considered unacceptable. This awakening within the independent living movement was exemplified by another leading disability rights activist, Wade Blank.

## ADAPT

Wade Blank began his lifelong struggle in civil rights activism with Dr. Martin Luther King, Jr. to Selma, Alabama. It was during this period that he learned about the stark oppression which occurred against people considered to be outside the "mainstream" of our "civilized" society. By 1971, Wade was working in a nursing facility, Heritage House, trying to improve the quality of life of some of the younger residents. These efforts, including taking some of the residents to a Grateful Dead concert, ultimately failed. Institutional services and living arrangements were at odds with the pursuit of personal liberties and life with dignity.

In 1974, Wade founded the Atlantis Community, a model for community-based, consumer-controlled, independent living. The Atlantis Community provided personal assistance services primarily under the control of the consumer within a community setting. The first consumers of the Atlantis Community were some of the young residents "freed" from Heritage House by Wade (after he had been fired). Initially, Wade provided personal assistance services to nine people by himself for no pay so that these individuals could integrate into society and live lives of liberty and dignity.

In 1978, Wade and Atlantis realized that access to public transportation was a necessity if people with disabilities were to live independently in the community. This was the year that American Disabled for Accessible Public Transit (ADAPT) was founded.

On July 5-6, 1978, Wade and nineteen disabled activists held a public transit bus "hostage" on the corner of Broadway and Colfax in Denver, Colorado. ADAPT eventually mushroomed into the nation's first grassroots, disability rights, activist organization.

In the spring of 1990, the Secretary of Transportation, Sam Skinner, finally issued regulations mandating lifts on buses. These regulations implemented a law passed in 1970-the Urban Mass Transit Act-which required lifts on new buses. The transit industry had successfully blocked implementation of this part of the law for twenty years, until ADAPT changed their minds and the minds of the nation.

In 1990, after passage of the Americans With Disabilities Act (ADA), ADAPT shifted its

vision toward a national system of community-based personal assistance services and the end of the apartheid-type system of segregating people with disabilities by imprisoning them in institutions against their will. The acronym ADAPT became "American Disabled for Attendant Programs Today." The fight for a national policy of attendant services and the end of institutionalization continues to this day.

Wade Blank died on February 15, 1993, while unsuccessfully attempting to rescue his son from drowning in the ocean. Wade and Ed Roberts live on in many hearts and in the continuing struggle for the rights of people with disabilities.

These lives of these two leaders in the disability rights movement, Ed Roberts and Wade Blank, provide poignant examples of the modern history, philosophy, and evolution of independent living in the United States. To complete this rough sketch of the history of independent living, a look must be taken at the various pieces of legislation concerning the rights of people with disabilities, with a particular emphasis on the original "bible" of civil rights for people with disabilities, the Rehabilitation Act of 1973.

#### Civil Rights Laws

Before turning to the Rehabilitation Act, a chronological listing and brief description of important federal civil rights laws affecting people with disabilities is in order.

1964--Civil Rights Act: prohibits discrimination on the basis of race, religion, ethnicity, national origin, and creed; later, gender was added as a protected class.

1968--Architectural Barriers Act: prohibits architectural barriers in all federally owned or leased buildings.

1970--Urban Mass Transit Act: requires that all new mass transit vehicles be equipped with wheelchair lifts. As mentioned earlier, it was twenty years, primarily because of machinations of the American Public Transit Association (APTA), before the part of the law requiring wheelchair lifts was implemented.

1973--Rehabilitation Act: particularly Title V, Sections 501, 503, and 504, prohibits discrimination in federal programs and services and all other programs or services

receiving federal funding.

1975--Developmental Disabilities Bill of Rights Act: among other things, establishes Protection and Advocacy services (P & A).

1975--Education of All Handicapped Children Act (PL 94-142): requires free, appropriate public education in the least restrictive environment possible for children with disabilities. This law is now called the Individuals with Disabilities Education Act (IDEA).

1978--Amendments to the Rehabilitation Act: provides for consumer-controlled centers for independent living.

1983--Amendments to the Rehabilitation Act: provides for the Client Assistance Program (CAP), an advocacy program for consumers of rehabilitation and independent living services.

1985--Mental Illness Bill of Rights Act: requires protection and advocacy services (P & A) for people with mental illness.

1988--Civil Rights Restoration Act: counteracts bad case law by clarifying Congress' original intention that under the Rehabilitation Act, discrimination in ANY program or service that is a part of an entity receiving federal funding--not just the part which actually and directly receives the funding--is illegal.

1988--Air Carrier Access Act: prohibits discrimination on the basis of disability in air travel and provides for equal access to air transportation services.

1988--Fair Housing Amendments Act: prohibits discrimination in housing against people with disabilities and families with children. Also provides for architectural accessibility of certain new housing units, renovation of existing units, and accessibility modifications at the renter's expense.

1990--Americans with Disabilities Act: provides comprehensive civil rights protection for people with disabilities; closely modeled after the Civil Rights Act and the Section 504 of Title V of the Rehabilitation Act and its regulations.

The modern history of civil rights for people with disabilities is three decades old. A key

piece of this decades-long process is the story of how the Rehabilitation Act of 1973 was finally passed and then implemented. It is the story of the first organized disability rights protest.

### The Rehabilitation Act of 1973

In 1972, Congress passed a rehabilitation bill that independent living activists cheered. President Richard Nixon's veto prevented this bill from becoming law. During the era of political activity at the end of the Vietnam War, Nixon's veto was not taken lying down by disability activists who launched fierce protests across the country. In New York City, early leader for disability rights, Judy Heumann, staged a sit-in on Madison Avenue with eighty other activists. Traffic was stopped. After a flood of angry letters and protests, in September 1973, Congress overrode Nixon's veto and the Rehabilitation Act of 1973 finally became law. Passage of this pivotal law was the beginning of the ongoing fight for implementation and revision of the law according to the vision of independent living advocates and disability rights activists.

Key language in the Rehabilitation Act, found in Section 504 of Title V, states that:

No otherwise qualified handicapped individual in the United States shall, solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Advocates realized that this new law would need regulations in order to be implemented and enforced. By 1977, Presidents Nixon and Ford had come and gone. Jimmy Carter had become president and had appointed Joseph Califano his Secretary of Health, Education and Welfare (HEW). Califano refused to issue regulations and was given an ultimatum and deadline of April 4, 1977. April 4 went by with no regulations and no word from Califano.

On April 5, demonstrations by people with disabilities took place in ten cities across the country. By the end of the day, demonstrations in nine cities were over. In one city--San Francisco--protesters refused to disband.

Demonstrators, more than 150 people with disabilities, had taken over the federal office

building and refused to leave. They stayed until May 1. Califano had issued regulations by April 28, but the protesters stayed until they had reviewed the regulations and approved of them.

The lesson is a fairly simple one. As Martin Luther King said,

It is an historical fact that the privileged groups seldom give up their privileges voluntarily. Individuals may see the moral light and voluntarily give up their unjust posture, but, as we are reminded, groups tend to be more immoral than individuals. We know, through painful experience that freedom is never voluntarily given by the oppressor, it must be demanded by the oppressed.

Leaders in the Independent Living Movement

The history of the independent living movement is not complete without mention of some other leaders who continue to make substantial contributions to the movement and to the rights and empowerment of people with disabilities.

Max Starkloff, Charlie Carr, and Marca Bristo founded the National Council on Independent Living (NCIL) in 1983. NCIL is one of the only national organizations that is consumer-controlled and promotes the rights and empowerment of people with disabilities.

Justin Dart played a prominent role in the fight for passage of the Americans with Disabilities Act, and is seen by many as the spiritual leader of the movement today.

Lex Frieden is co-founder of ILRU Program. As director of the National Council on Disability, he directed preparation of the original ADA legislation and its introduction in Congress.

Liz Savage and Pat Wright are considered to be the "mothers of the ADA." They led the consumer fight for the passage of the ADA.

There are countless other people who have and continue to make substantial contributions to the independent living movement.

REFERENCES

DeJong, Gerben. "Independent Living: From Social Movement to Analytic Paradigm," Archives of Physical Medicine and Rehabilitation 60, October 1979.

Wolfensberger, Wolf. The Principle of Normalization in Human Services. Toronto: National Institute on Mental Retardation, 1972.



## INDEPENDENT LIVING AND TRADITIONAL PARADIGMS

This chart compares traditional approaches to medical and vocational rehabilitation services with the consumer-driven approach employed by independent living.

### MEDICAL MODEL & REHABILITATION PARADIGM INDEPENDENT LIVING PARADIGM

Definition of  
problem  
physical or mental impairment;  
lack of vocational skill (in the  
VR system)  
dependence upon professionals,  
family members and others;  
hostile attitudes and  
environments

Locus of problem  
in the individual (individual  
needs to be "fixed")  
in the environment; in the  
medical and/or rehabilitation  
process itself

Solution to the  
problem  
professional intervention;  
treatment  
1. barrier removal  
2. advocacy  
3. self-help  
4. peer role models and  
counseling  
5. consumer control over  
options and services

Social role  
individual with a disability is a  
"patient" or "client"  
individual with a disability is a  
"consumer" or "user" of  
services and products

Who controls  
professional  
"consumer" or "citizen"

Desired outcomes  
maximum self-care (or  
"ADL"); gainful employment  
in the VR system  
independence through control  
over ACCEPTABLE options  
for every day living in an  
integrated community

Developed by Gerben DeJong in 1978; adapted/expanded by Maggie Shreve.



OVERHEADS:  
STATEWIDE IL COUNCILS

COMPOSITION AND APPOINTMENT

- Appointed by the governor or appropriate entity within the state.
- Solicit recommendations from organizations:
  - a) representing a broad range of individuals with disabilities, and
  - b) interested in individuals with disabilities.

TERMS OF APPOINTMENT

Each member shall serve for a term of three (3) years, except a member appointed to fill a vacancy occurring prior to the expiration of the term.

- No member may serve more than two (2) consecutive full terms.

SILC QUALIFICATIONS

- Statewide representation.
- Represent a broad range of individuals with disabilities.
- Knowledgeable about CILs and IL services.
- Majority of whom are:
  - a) individuals with disabilities, and
  - b) not employed by any state agency or CIL.

#### SILC COMPOSITION

- At least one director of a CIL.
- As ex officio, nonvoting members:
  - a) a representative of the designated state unit, and
  - b) representatives from other state agencies that provide services for individuals with disabilities.

#### ADDITIONAL SILC MEMBERS

- Other representatives from CILs.
- Parents and guardians.
- Advocates of and for individuals with disabilities.
- Representatives from private business.
- Representatives from organizations that provide services for individuals with disabilities.
- Other appropriate individuals.

#### SILC CHAIRPERSON

The council shall select a chairperson from among the membership of the council.

#### SUPERVISION AND EVALUATION

Each council shall, consistent with state law, supervise and evaluate such staff and other personnel as may be necessary to carry out the functions of the council under this section.

#### 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.

#### RESOURCE PLANS

(There shall be) a plan for the provision of such resources, including such staff and personnel, as may be necessary to carry out the functions of the council.

#### COMPENSATION AND EXPENSES

The council may use resources for the following:

- Reasonable and necessary expenses (including child care and PAS).
- Compensation for each day the member is engaged in performing council duties.

#### FUNDS TO SUPPORT THE SILC

- Title VII, Chapter 1.
- Title I, Part C.
- Other public and private sources.
- To the maximum extent possible, rely on the use of resources in existence.

#### SILC DUTIES

- Jointly develop and submit the state plan.
- Monitor, review and evaluate the implementation of the state plan.
- Coordinate activities with the RAC.
- Ensure that all regularly scheduled meetings are open to the public.
- Submit to the Commissioner periodic reports as may be reasonably requested.

#### "HOW TO IDENTIFY NEEDS..."

- Surveys.
- Polls.
- Community studies.
- 800-numbers.
- E-mail.
- Forums.
- Focus groups.

TITLES OF THE REHABILITATION ACT  
OF 1973 AS AMENDED

TITLE I - VOCATIONAL REHABILITATION SERVICES

Part A - General Provisions

Part B - Basic Vocational Rehabilitation Services

Part C - Innovation and Expansion Grants

Part D - American Indian Vocational Rehabilitation Services

TITLE II - RESEARCH AND TRAINING

TITLE III - TRAINING AND DEMONSTRATION PROJECTS

Part A - Training Programs and Community Rehabilitation Programs

Part B - Special Projects

TITLE IV - NATIONAL COUNCIL ON DISABILITY

TITLE V - RIGHTS AND ADVOCACY

TITLE VI - EMPLOYMENT OPPORTUNITIES FOR INDIVIDUALS  
WITH DISABILITIES

Part A - Community Service Employment Pilot Program for Individuals  
with Disabilities

Part B - Projects with Industry

Part C - Supported Employment Services for Individuals with Severe  
Disabilities

Part D - Business Opportunities for Individuals with Disabilities

TITLE VII - INDEPENDENT LIVING SERVICES AND CENTERS  
LIVING FOR INDEPENDENT

Chapter 1 - Individuals with Severe Disabilities

Part A - General Provisions

Part B - Services for Independent Living

Part C - Centers for Independent Living

Chapter 2 - Independent Living Services for Older Individuals Who  
are Blind

TITLE VIII - SPECIAL DEMONSTRATIONS AND TRAINING PROJECTS

DID YOU KNOW . . . .?

You can influence appointments to the council by working with a staffer in the governor's office who has responsibility for recommending appointments. Training of that person by the SILC can have a positive impact.

The governor should contact groups interested in disability issues prior to making appointments to the SILC.

Jointly, CILs determine who their representative will be on the council.

With regard to centers, board members, volunteers, and consumers may serve in the majority of members who sit on the SILC. Only staff of the CIL must be in the minority.

The only SILC members who cannot vote are state agency representatives.

A CIL director may serve as chair of the SILC if she/he is elected.

Other directors and staff of CILs may sit on the SILC, as long as consumers who are not CIL staff or state agency representatives make up the majority of the members.

The SILC should supervise and evaluate any staff or personnel that carry out the administrative functions of the SILC.

Each member may serve two full terms consecutively. Members may be reappointed after a period of time spent off the council.

The SILC may use a variety of different approaches to gathering information from consumers beyond traditional methods such as hearings and forums. Many SILCs use "800" numbers, group forums, focus groups, conferences, statewide e-mail access, etc.

The SILC may establish itself as a 501(c)3 nonprofit organization.



## COMPOSITION OF STATEWIDE INDEPENDENT LIVING COUNCILS

Rehab Act Citation: Section 705 covers statewide IL councils

### INTRODUCTION:

The 1992 Amendments to the Rehabilitation Act greatly expanded the role and responsibilities of the statewide independent living councils, in effect making them full partners with vocational rehabilitation in the independent living process. Primary among the new responsibilities of the councils is collaborating with the state vocational rehabilitation agency to develop the state independent living plan--including determining distribution of independent living funds provided through Part B of the Rehab Act and monitoring, reviewing, and evaluating implementation of this state plan.

These new responsibilities provide councils with very significant authority in statewide independent living program administration--an authority that was lacking prior to passage of the Amendments.

Therefore, it is very important that people who are appointed to the councils be not just knowledgeable about but also have a real commitment to disability rights and the independent living philosophy--and their translation into the kinds of service programs and advocacy activities that are genuinely appropriate for independent living centers.

### COUNCIL MEMBERSHIP:

Appointment. Members of the independent living council in each state (or territory) are appointed by the governor. (Exception: In certain states, a specific entity is authorized to make appointments instead of the governor.) The Act requires the governor (or appointing entity) to solicit recommendations from organizations representing a broad range of people with disabilities prior to selecting individuals to serve as members of the council.

Composition of the Council. The council membership must include:

--an executive director of an independent living center who has been selected by other center directors in the state to fill this role.

--a representative from the state vocational rehabilitation agency, who serves in a non-voting ex officio role; representatives from other state agencies providing services to people with

disabilities may also be appointed as non-voting ex officio members of the council.

Other potential council members include representatives of independent living centers (in addition to the center director selected by his or her peers), parents and guardians of people with disabilities, advocates of and for people with disabilities, representatives from private businesses, representatives from organizations providing services to people with disabilities, and the catch-all, "other appropriate individuals."

Consumer Control. It is important to note that the Act requires that the majority of the members of the council be comprised of people with disabilities who are not employed by a state agency or independent living center.

Membership Qualifications. Individuals selected to serve as members of the council must be knowledgeable about independent living centers and services and must represent different parts of the state as well as different disability constituencies.

#### PROBLEMS/SOLUTIONS:

Because of the expanded role that councils will play in planning and overseeing independent living service delivery in each state, there will likely be a number of organizations that will try to influence appointments to the councils.

Also, persons may be appointed to the council who have insufficient understanding of independent living and the role that centers play in delivering independent living services and conducting advocacy activities.

It is of critical importance that people involved in independent living centers and associations of centers--those who know best about the independent living philosophy and what it means in terms of service delivery and advocacy--establish a procedure whereby their recommendations can be conveyed effectively to their governors.

In addition, many governors may be unaware of the changes in the Act and their responsibilities with regard to appointing people to serve on statewide independent living councils. It is in your best interest as a supporter of independent living centers to alert your state governor and appropriate legislative aides concerning changes in the Act, in your interest to assure appropriate representation on the council, and especially of value to assist the governor in

identifying potential council members who meet the criteria spelled out in the Act.

We recommend that you do the following:

--network with other centers and associations of centers in your state and region concerning appointments to state councils and other activities that centers should be considering to implement the new Act;

--contact people with different disabilities to determine their interest in serving on the council;

--prepare and send to the governor a list of individuals, along with contact information, that might be considered by him or her in meeting the requirements for representation spelled out in the Act;

--offer your assistance in identifying other individuals who might be considered for council membership, should the governor need additional recommendations;

--offer the governor your expert assistance with issues of accessibility and accommodation in organizing and convening council meetings that promote optimal involvement of people with disabilities; and

--offer assistance in securing additional information about the new Act if the governor has questions or concerns about what he or she is supposed to do (NCIL can assist you with this).

Because of the critical role that the statewide independent living councils will play in planning effective delivery of independent living services and assuring full empowerment of people with disabilities, it is of utmost importance that centers take a proactive and assertive role to assure that councils be made up of people who understand the independent living philosophy.

For additional information on the Rehab Act, contact the NCIL office in Washington, D.C., at (703) 525-3406, 525-3409 (TTY).



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 by marking a "T" for true and an "F" for false. Be tough-minded!

\_\_\_\_\_ 1. The history of independent living related to and including the current Rehabilitation Act Amendments of 1992, 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 unit (state vocational rehabilitation agency or blind agency) through which Title VII funding 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 Education related to people with disabilities and the names of the programs administered by Office of Special Education and Rehabilitative Services (OSERS).

\_\_\_\_\_ 8. The state's allocation of funds 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.
- \_\_\_\_\_ 10. How the state spends its Social Security Trust 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.
- \_\_\_\_\_ 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 purpose of the state rehabilitation advisory council and its relationship to the statewide independent living council.
- \_\_\_\_\_ 16. The roles, responsibilities, and authority of members 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 contact information on each.
- \_\_\_\_\_ 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 to individual members of the SILC.
- \_\_\_\_\_ 23. How staff of the SILC are hired, trained, supervised, and evaluated.

\_\_\_\_\_ 24. The nature and funding for any SILC-approved project funded under Title VII, Part B or any other state funding incorporated into the state's independent living plan.

\_\_\_\_\_ 25. The basic concepts, definitions, and provisions of the Americans with Disabilities Act of 1990.

## QUESTIONS ABOUT SILC GOVERNANCE

The following questions were designed to guide statewide independent living council (SILC) members through the decisions they must make about self-governance. Normally, organizations (whether incorporated or not) develop bylaws which spell out how they will govern themselves.

Bylaws must be clear enough to handle any potential problems which can occur, but do not need to be so specific that they detail how each and every decision of the group will be handled.

Policies and procedures or operating guidelines are usually developed to define and to explain how organizations function day-to-day, week-to-week, and month-to-month.

The questions below are to be used solely in deciding governance issues, not policy or operating guideline issues.

1. What is the official name of the organization? What is its abbreviated name or acronym if one is to be used?

2. What is the scope of the organization's efforts? What geographical area does it cover?

3. What is the primary purpose of the organization? What are other purposes of the organization?

4. How are the organization's members selected? [Member may be termed a "member," a "director," a "trustee" or other appropriate, legal language depending upon which type of legal status is being sought.]

5. How few and how many members may compose the governing body?

6. What types of representation(s) or qualification(s) are required among the members? Who may vote as a member and who is defined as ex-officio?

7. How many, or what percentage of the total governing body are designated representatives of centers for independent living?

8. How long may an individual member serve?
9. How may a member be removed?
10. If the organization has a membership in addition to members, what is the criteria for membership?
11. What is the power and authority of the membership, if any?
12. What types of officers are necessary?
13. What are the primary responsibilities of the officers?
14. What types of authority do the officers have?
15. What are the terms of office for an officer?
16. How may an officer be removed?
17. How often are meetings conducted (how few or how many are held within the fiscal year of the organization)?
18. Where are meetings held?
19. How are meetings conducted?
20. What are the penalties for a member who misses meetings?
21. How can special meetings be called and by whom?
22. How can committee or work teams be established?
23. What are the roles and responsibilities of committees or work teams?
24. How can the organization establish an office and hire staff?

25. What is the fiscal year of the organization?
26. How are the organization's finances managed and audited?
27. What kinds of responsibilities or work may be assigned to agents of the organization?
28. How are members, officers, employees or agents of the organization indemnified?
29. How does the organization handle a material conflict of interest?
30. How does the organization handle an ethical or self-dealing issue?
31. What types of communication methods may be used for purposes of conducting the organization's business or taking a vote of its members?
32. How are bylaws amended, revised, deleted, or added?

If the organization is a private, nonprofit corporation. . .

1. What articles of incorporation or charter must be developed?
2. What state laws cover private, nonprofit corporations?
3. What types of legal language should be included in bylaws?
4. To whom must articles, charter, or bylaws be submitted and in what form?
5. How much does it cost to become incorporated?

If the organization seeks tax exemption under any section of 501(c) of the Internal Revenue Code.

1. Is the purpose of the organization consistent with the relevant section of 501(c) for which approval is sought? For example, if 501(c)(3) is sought, is the purpose educational, scientific, or charitable?

2. How will assets of the corporation be managed?

3. How will assets of the corporation be disposed of in the event the corporation is dissolved?

4. Will the organization be engaged in any partisan political activity or in activities which support or oppose a candidate for public office?

5. Is there any other legal language required of a 501(c) organization which should be included in bylaws?

6. To whom must the application for tax exemption be submitted?

7. How much does it cost to apply for tax exemption?

PROTOTYPE JOB DESCRIPTION  
FOR  
SILC CHAIR

ESSENTIAL DUTIES:

1. Chair all meetings of the statewide independent living council (SILC) or SILC executive committee.
2. Represent the SILC at the direction of the SILC body in supervising SILC staff; attend meetings and activities with individuals, other entities and groups; and speak publicly on the SILC's behalf.
3. Lead planning efforts of the SILC.
4. Sign the state's plan for independent living on behalf of the entire SILC.
5. Oversee and coordinate the work of any and all SILC-designated committees or work teams.
6. Facilitate development of new independent living leaders within the state.

AUTHORITY:

The chair of the SILC has the authority to act or to execute any activity on behalf of the entire SILC body if such authority is granted to him or her by state laws, the SILC's bylaws, or by specific resolution of the SILC.

VALUES DESIRED:

1. Commitment to the issue of "consumer control," meaning that people with disabilities should have control over their lives and decision-making.
2. Belief in principles of equal access and equal opportunity.
3. Commitment to full integration of people with disabilities into all aspects of society.
4. Possession of honesty, integrity, and respect for the values of others.
5. Possession of strong personal code of ethics, including maintaining confidentiality, avoiding conflict of interest, and avoiding self-dealing.

QUALIFICATIONS:

1. Ability to lead.
2. Experience in a CIL or independent living.

TIME PER MONTH (excluding travel time):

- 16 hours--SILC meetings
- 8 hours--SILC telephone calls
- 8 hours--miscellaneous SILC business
- 4 hours--reading and preparation for SILC meetings

TOTAL 36 hours

PROTOTYPE JOB DESCRIPTION  
FOR  
SILC VICE-CHAIR

ESSENTIAL DUTIES:

1. Chair all meetings of the statewide independent living council (SILC) or SILC executive committee in the absence of the chairperson.
2. Represent the SILC at the direction of the SILC in the absence of the chairperson.
3. Assist chairperson in leading planning efforts of the SILC.
4. Oversee and coordinate the work of any and all SILC-designated committees or work teams delegated by the SILC chairperson.
5. Facilitate development of new independent living leaders within the state.

AUTHORITY:

The vice-chair of the SILC has the authority to act or to execute any activity on behalf of the entire SILC body if such authority is granted to him or her by state laws, the SILC's bylaws, or by specific resolution of the SILC.

VALUES DESIRED:

1. Commitment to the issue of "consumer control," meaning that people with disabilities should have control over their lives and decision-making.
2. Belief in principles of equal access and equal opportunity.
3. Commitment to full integration of people with disabilities into all aspects of society.
4. Possession of honesty, integrity, and respect for the values of others.
5. Possession of strong personal code of ethics, including maintaining confidentiality, avoiding conflict of interest, and avoiding self-dealing.

QUALIFICATIONS:

1. Ability to lead.
2. Experience in a CIL or independent living.

TIME PER MONTH (excluding travel time):

16 hours--SILC meetings  
4 hours--SILC telephone calls  
4 hours--miscellaneous SILC business  
4 hours--reading and preparation for SILC meetings

TOTAL 28 hours

PROTOTYPE JOB DESCRIPTION  
FOR  
SILC SECRETARY

ESSENTIAL DUTIES:

1. Record minutes of public meetings of the statewide independent living council (SILC) and SILC executive committee.
2. Represent the SILC at the direction of the SILC body as designated by the chair.
3. Assist the chair with planning efforts of the SILC.
4. Facilitate development of new independent living leaders within the state.

AUTHORITY:

The secretary has authority to notarize, sign, or attest to any document prepared for and approved by the entire SILC body.

VALUES DESIRED:

1. Commitment to the issue of "consumer control," meaning that people with disabilities should have control over their lives and decision-making.
2. Belief in principles of equal access and equal opportunity.
3. Commitment to full integration of people with disabilities into all aspects of society.
4. Possession of honesty, integrity, and respect for the values of others.
5. Possession of strong personal code of ethics, including maintaining confidentiality, avoiding conflict of interest, and avoiding self-dealing.

QUALIFICATIONS:

1. Ability to take meeting minutes.
2. Experience with independent living.

TIME PER MONTH (excluding travel time):

16 hours--SILC meetings  
4 hours--SILC telephone calls  
4 hours--reading and preparation for SILC meetings  
8 hours--preparation, editing, and distribution of meeting minutes

TOTAL 32 hours

PROTOTYPE JOB DESCRIPTION  
FOR  
SILC TREASURER

ESSENTIAL DUTIES:

1. Oversee fiscal management and reporting of funds distributed to and by the statewide independent living council (SILC).
2. Report current fiscal status of SILC and of Title VII, Part B funds at regularly scheduled or special meetings of the SILC.
3. Work with designated state unit staff on budget development for the approved state plan for independent living.
4. Develop SILC budget for implementation of SILC resource plan.
5. Facilitate development of new independent living leaders within the state.

AUTHORITY:

The treasurer has authority to develop a budget for the SILC in conjunction with any SILC staff. Such budget must be approved by the entire SILC.

VALUES DESIRED:

1. Commitment to the issue of "consumer control," meaning that people with disabilities should have control over their lives and decision-making.
2. Belief in principles of equal access and equal opportunity.
3. Commitment to full integration of people with disabilities into all aspects of society.
4. Possession of honesty, integrity, and respect for the values of others.
5. Possession of strong personal code of ethics, including maintaining confidentiality, avoiding conflict of interest, and avoiding self-dealing.

QUALIFICATIONS:

1. Knowledge of budgets and finance.
2. Experience with independent living.

TIME PER MONTH (excluding travel time):

16 hours--SILC meetings  
4 hours--SILC telephone calls  
8 hours--reading and preparation for SILC meetings  
8 hours--preparation of treasurer's report

TOTAL 36 hours

PROTOTYPE JOB DESCRIPTION  
FOR  
SILC MEMBER

ESSENTIAL DUTIES:

1. Participate actively in statewide independent living council (SILC) meetings and activities.
2. Work actively on at least one committee or work team of the SILC.
3. Facilitate development of new independent living leaders within the state.

AUTHORITY:

A SILC member has no authority except that granted to him or her by the entire SILC body through specific resolution.

VALUES DESIRED:

1. Commitment to the issue of "consumer control," meaning that people with disabilities should have control over their lives and decision-making.
2. Belief in principles of equal access and equal opportunity.
3. Commitment to full integration of people with disabilities into all aspects of society.
4. Possession of honesty, integrity, and respect for the values of others.
5. Possession of strong personal code of ethics, including maintaining confidentiality, avoiding conflict of interest, and avoiding self-dealing.

QUALIFICATIONS:

1. Knowledge of team work.
2. Experience with independent living.

TIME PER MONTH (excluding travel time):

16 hours--SILC meetings  
4 hours--SILC telephone calls  
4 hours--reading and preparation for SILC meetings

TOTAL 24 hours



SILC COMPOSITION COMPLIANCE  
SELF-ASSESSMENT CHECKLIST

The Rehabilitation Act Amendments of 1992 require the governor (or the appropriate entity within the state responsible for making appointments) to appoint SILC members after soliciting recommendations from representatives of organizations representing a broad range of individuals with disabilities. The following is a checklist which can be used for determining the extent to which SILC membership is in compliance with the amended Act.

SILC Voting Membership Composition

Y  
E  
S  
N  
O

1. Is there at least one director of a center for independent living chosen by the directors of centers for independent living within the state?
  
2. Are there other representatives from centers for independent living?
  
3. Are there parents and guardians of individuals with disabilities?
  
4. Are there advocates of and for individuals with disabilities?
  
5. Are there representatives from private businesses?
  
6. Are there representatives from organizations that provide services for individuals with disabilities?

7. Are there other appropriate individuals? How are they appropriate to the function and purpose of the SILC?

SILC Non-Voting Composition

Y  
E  
S  
N  
O

1. Is there a representative from the designated state unit? Who?

2. Are there representatives from other state agencies that provide services for individuals with disabilities? Who and what agencies do they represent?

Name Agency

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SILC PROFILE ANALYSIS

To comply with section 705 of the Rehab Act, every statewide independent living council (SILC) must be consumer controlled. Use the grid below and the fact sheet on SILC composition to determine whether or not 51 percent of your voting members are persons with disabilities.

Enter the names of up to 12 SILC members in the numbered boxes at the top of the grid. You may need to use more than one chart. Enter data relevant to each member by placing a check mark in the appropriate grid box. The completed grid will give you an overall profile of the composition of your council.

In determining if a majority of the council's members consist of people with disabilities, remember that individuals with disabilities who are employed by state agencies or centers may not be included among the count of people with disabilities. Total the number of checks in each row. Then, subtracting state agency and independent living center employees, total the rest of the members with disabilities. This number should be at least 51 percent of all members.

| SILC Members  |   |   |   |   |   |   |    |    |    |        | 1 | 2 |
|---|---|---|---|---|---|---|----|----|----|--------|---|---|
| 3   | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | TOTALS |   |   |
| SILC criteria:  |   |   |   |   |   |   |    |    |    |        |   |   |
| CIL director (selected by CILs)<br>(voting member)  |   |   |   |   |   |   |    |    |    |        |   |   |
| CIL employee (voting member)  |   |   |   |   |   |   |    |    |    |        |   |   |
| CIL representative who is not an<br>employee of CIL (voting member)   |   |   |   |   |   |   |    |    |    |        |   |   |
| Parent or guardian (voting member)  |   |   |   |   |   |   |    |    |    |        |   |   |
| Advocate (voting member)  |   |   |   |   |   |   |    |    |    |        |   |   |
| Business representative (voting member)   |   |   |   |   |   |   |    |    |    |        |   |   |
| Service provider (voting member)  |   |   |   |   |   |   |    |    |    |        |   |   |
| Other:  |   |   |   |   |   |   |    |    |    |        |   |   |
| p Employee of a state agency which<br>does not provide services to individuals with<br>disabilities (voting member) |   |   |   |   |   |   |    |    |    |        |   |   |
| p<br>Designated state unit representative<br>(nonvoting member)   |   |   |   |   |   |   |    |    |    |        |   |   |

Employee of a state agency (other than DSU) which provides services to people with disabilities (nonvoting member)

b

b

Area of state represented

b \_\_\_\_\_

b \_\_\_\_\_

b \_\_\_\_\_

b \_\_\_\_\_

Disability type

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Knows CILs and IL services:

(e.g., worked in a CIL)

Term of appointment:

(e.g., expires 1994)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Revised 5/95

\_\_\_\_\_

Developed by the IL NETWORK: NCIL/ILRU National Training and Technical Assistance Project. Requests for technical assistance on this and other independent living subjects may be directed to the IL NETWORK Project, c/o ILRU at (713) 520-0232 (voice), 520-5136 (TTY), 520-5785 (FAX), or NCIL at (703) 525-3406 (voice), 525-3407 (TTY), 525-3409 (FAX).

STATE PLAN  
for  
INDEPENDENT LIVING SERVICES  
and  
CENTERS FOR INDEPENDENT LIVING  
  
FISCAL YEAR 1995

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## DEVELOPMENT OF STATE PLANS FOR INDEPENDENT LIVING

### Introduction to a Single State Plan

Under the newly reauthorized Rehabilitation Act Amendments of 1992, the state plan for independent living is jointly developed by the statewide independent living council (SILC) and the designated state unit. The designated state unit is the same state agency, usually your general vocational rehabilitation agency, that is the "designated state unit" for Title I or basic vocational rehabilitation services.

This means that the SILC--as an autonomous, independent body representing people with significant disabilities across the entire state and the interests of centers for independent living and others--must organize itself to become a planning body and to work effectively with the state's vocational rehabilitation agency and, if you have one, blind services agency as well.

There is only one state plan for independent living. This is different from Title I where the Rehabilitation Services Administration (RSA) has allowed two state plans--one for the general VR agency and another for the blind services agency. Since there is only one state plan, the SILC and the VR and blind services agencies must all agree on the contents and budget of that plan.

### Purpose of the Plan

The purpose of the state plan is to describe how Title VII, Part B funding will be used within the state to develop and to maintain a state independent living program (SILP). The state's independent living program must include a description of the state's network of centers for independent living and how this network relates to other elements of the plan for Title VII, Part B funds.

### Authorized Uses of Title VII, Part B Funds

Title VII, Part B funds may be used:

- to support the operations of the SILC;
- to provide independent living services to individuals with severe disabilities;
- to demonstrate ways to expand and improve independent living services;

to support the operations of CILs;

to support activities to increase the capacities of groups to develop comprehensive approaches or systems for providing independent living services;

to conduct studies and analyses, gather information, develop model policies and procedures, etc., presenting information, strategies and recommendations to federal, state or local policy makers to enhance independent living;

to train individuals with disabilities and organizations on the independent living philosophy; and

to provide outreach to unserved, underserved, minority groups, and urban and rural populations.

A specific format for the state plan is provided by RSA to the chair of the statewide independent living council and to directors of state vocational rehabilitation and blind service agencies. The SILC and state agencies must develop the state plan and submit it, along with any required information on RSA's "pre-print" plan form by a certain date. The next major deadline for state plan submission to RSA is July 1, 1994. The first jointly developed three-year state plan for independent living is due on that date.

Copies of state plan pre-print forms can be obtained from RSA's regional offices or central office. Contact John Nelson, Chief, Independent Living Branch, RSA, 400 Maryland Avenue S.W., Washington, D.C. 20202, 202/205-9362 (voice) for more information. Also, copies of the Rehab Act and state plan pre-print forms are available for downloading on the DIMENET computer network (508) 880-5412 in the "Files" section.

#### State Plan Requirements

The federal government gives each state a certain amount of funding under Title VII, Part B based upon percentage of population. RSA, through the Rehabilitation Act Amendments statute or law, develops parameters for how each state may spend this money. Determination of how the Title VII, Part B funds will be spent in each state will be made jointly by the SILC, VR agency, and blind services agency (if one exists in the state). It is extremely important that SILCs be thoroughly knowledgeable about the process of Title VII, Part B funding, the requirements of the

state plan, and the state's status and progress toward a network of centers for independent living in order to be effective planners of Part B funding.

The specific requirements of the state plan include:

specific objectives and timelines;

an explanation of how objectives are consistent with and further the purpose of Title VII;

a description of how Title VII services are coordinated with or complement other federally or state funded services to people with disabilities;

a description of how federal and state funding for CILs and independent living services will be coordinated;

a description of how outreach to unserved, underserved, minority groups, urban populations, and rural populations will be conducted;

a description of how individuals receiving assistance under Title VII will be notified of the client assistance program (CAP);

a description of affirmative actions that will be taken to employ qualified individuals with disabilities;

a description of fiscal control and accounting procedures that will be used;

a description of how records will be kept if independent living services are to be provided to individuals, especially amount and disposition of funds to an individual recipient, total cost of project, and amount or costs of project funded with other sources;

a description of how public hearings will be held during formulation and review of the plan; and

a description of how the plan's effectiveness will be evaluated, based both on achievement of objectives and extent of satisfaction of individuals with disabilities.

As a general rule, the bureaucratic nature of the state/federal program has not been conducive to creativity in the development of state plans in the past. With the advent of SILCs and their real authority in the planning process, individuals with significant disabilities and centers for

independent living have an opportunity to develop an innovative statewide vision for the first time since Title VII was written. Conflicts which arise over the development of state plans are usually rooted in a desire to continue doing things the way they have been done versus creating new methods and believing that the entire process is open for debate.

We urge you to work with your SILC and your CIL colleagues in your state to develop the best state plan possible.

Developed for NCIL's Rehab Act Committee by Maggie Shreve, 1994.



TITLE VII, PART B

AUTHORIZED USES OF FUNDS

The state may use funds received under this part to support the operation of the statewide independent living council,

and

- 1) to provide independent living services to individuals;
- 2) to demonstrate ways to expand and improve independent living services;
- 3) to support the operation of CILs;
- 4) to support activities to increase the capacities . . . for providing independent living services;
- 5) to conduct studies and analyses, gather information, develop model policies and procedures, and present information, approaches, strategies, findings, conclusions, and recommendations to federal, state, and local policymakers in order to enhance independent living services;
- 6) to train . . . regarding the independent living philosophy; and
- 7) to provide outreach to populations that are unserved or underserved by programs under this Title.



## AUTHORIZED USES OF TITLE VII, PART B

### Introduction and History of Changes to Title VII, Part B

The National Council on Independent Living (NCIL) was tremendously successful in advocating for major changes to the Rehabilitation Act when it was amended in 1992. One of the most significant changes was to the concept of statewide independent living programs. A brief history of the original Title VII with a look at the new Title VII in this regard might be helpful.

In 1978, the Rehabilitation Act was amended to include a new title, Title VII, a program of comprehensive independent living services. There were few people involved in the drafting of this important legislation and all were true pioneers in the movement for independent living. There was not, however, a great deal of experience or knowledge about how to initiate a national program which would be focused on centers for independent living. The first Title VII statute followed the same basic development premise which had begun rehabilitation facilities years ago. The plan was somewhat as follows:

Fund Title VII, Part B through a discretionary (i.e., competitive) grant process to establish centers for independent living. The first eligible applicants for these funds were state vocational rehabilitation or blind service agencies. If a state agency did not apply, then a private, nonprofit organization could. The goal was to establish these new entities through grants of three years in length, and then to eliminate those grants as fee-for-service funding sufficient to support each center(s) became available.

Part A funds were envisioned as ongoing support of centers through purchase of service agreements with state vocational rehabilitation and blind service agencies. Title VII, Part A looked much like the basic vocational rehabilitation program funded under Title I with the exception that "eligibility" for service was based on the presence of a disability so severe that the individual could not benefit from vocational rehabilitation services under Title I. A parallel system of service delivery, usually through state agencies entirely, emerged where people who were not determined eligible for vocational rehabilitation services could be referred to and served by the Title VII, Part A program--if it were feasible that the individual could live independently.

As Title VII, Part A funds supported the centers for independent living through fees-for-services, Title VII, Part B monies would be recycled to start new centers and so forth.

The existing rehabilitation system fully expected funding under Title VII, Part A to increase dramatically--just like the Title I program--while the Part B program could remain small and discretionary.

Once Part A funding reached substantial levels, it would become a "formula funding" program, meaning that each state would get its fair share of the total dollars available based upon its population.

Those of you who were involved with centers in 1983 when Part A funding first became available may remember the debates and sometimes bitter fights we had with our state agencies over those funds. It became clear to many of us that while some state agencies operated innovative Part A programs, others had no intention of funding centers with Part A. Rather, they used Part A funding to staff their own operations, to purchase services for people denied eligibility under Title I through existing rehabilitation facilities, or, if they did contract with centers, they required the same laborious, bureaucratic process for the delivery of service--including a determination of eligibility based upon a medical examination, development of an "individual written independent living rehabilitation plan" (IWILRP) and the signature of a state agency counselor approving the IWILRP. Some realized that this configuration for development would not work in 1981--many more of us saw these systemic problems most clearly after funding of Part A began in 1983.

So, NCIL advocated for major changes to the Rehabilitation Act as long ago as 1985. Although NCIL's success was limited in its early history as an organization, it exerted substantial influence in 1992. NCIL recommended entire elimination of Part A, moving the services there into Title I and expanding the definition of who could be served under Title I. NCIL also recommended direct funding for all CILs under Title VII, Part C--a recommendation which was partially followed.

The U.S. Congress could not agree to such a massive reform of the Act as NCIL was suggesting, but did agree to give more power and control over the old Part A dollars to the states themselves,

through the mandate of a consumer-controlled statewide independent living council (SILC) and the joint development of a state plan, detailing the state's independent living program. Congress also instituted direct funding for independent living centers in states where the state was not supporting center operations at an amount equal or greater than that contributed by the federal government. The premise behind these changes was to get state agencies, individuals with significant disabilities, and centers to agree on what constituted a statewide independent living program.

#### The Old "Part A" Becomes the New "Part B"

The new Title VII begins with an introductory Part A which has no appropriations attached to it; rather it emphasizes independent living philosophy, principles, and definitions. The new Part B is a totally rewritten and redesigned statute. It still focuses, however, on independent living services, and its funds may be distributed to:

- support the operations of the SILC;
- provide independent living services to individuals with severe disabilities;
- demonstrate ways to expand and improve independent living services;
- support the operations of CILs;
- support activities to increase the capacities of groups to develop comprehensive approaches or systems for providing independent living services;
- conduct studies and analyses, gather information, develop model policies and procedures, etc., present information, strategies and recommendations to federal, state, or local policymakers to enhance independent living;
- train individuals with disabilities and organizations on the independent living philosophy;
- and
- provide outreach to unserved, underserved, minority groups, and urban and rural populations.

The U. S. Congress borrowed ideas from the developmental disabilities planning council model in the Developmental Disabilities Bill of Rights Act to create new, powerful statewide

independent living councils (SILCs). It gives SILCs responsibility for developing and monitoring the state plan for independent living and for making decisions about how Title VII, Part B money will be spent within the state. The SILCs must work with centers, which have representation as voting members on the SILC itself, and with state vocational rehabilitation and blind service agencies.

As SILCs organize themselves into autonomous, independent planning bodies, they may draw upon these eight authorized uses of Title VII, Part B funds to make decisions about what is best for their state. In addition to Title VII, Part B funds, SILCs may secure operating funds for their staff, offices, and other expenses from Title I, Part C (Innovation and Expansion Grant Program) or Social Security Trust Fund dollars. These funds may be secured through the state's plan for vocational rehabilitation which is developed by the state agencies with the input and advice of a statewide rehabilitation advisory council.

Developed for NCIL's Rehab Act Committee by Maggie Shreve, 1994.



## STATE IL PLANS--USE OF PART B FUNDS

As many of you know, one of the major changes provided by the 1992 amendments to the Rehab Act was the strengthening of the role and responsibilities of the statewide independent living councils. One of the most significant responsibilities of the SILCs is joint development and joint signing (along with the state voc rehab agency) of the state plan for independent living--specifically, determining how to use the Part B funds provided each state through Title VII. The minimum that each state received this year was approximately \$283,000; states with larger populations received more.

SILCs were required to work with state agencies to develop the plans for the first time last year, and the plans covered a period of one year. This year, the SILCs and agencies were to have developed a three-year plan by July 1. According to John Nelson, however, RSA recognizes the need of many SILCs to become better organized before preparing a three-year plan, so, RSA is requiring states to submit another one-year plan by July 1.

If you had \$283,000 to spend on independent living in your state, how would you spend it? If you sit on the council, you have options that fall into eight categories:

--Support for the council's resource plan. Each SILC is required to prepare a resource plan to meet expenses incurred in carrying out the functions of the council. Funds which may be used to support this resource plan include Part C of Title I as well as Part B of Title VII. These funds may be used to hire staff, rent office space, cover expenses associated with operating an office, reimburse council members for expenses associated with serving on the council, convene public hearings to obtain input regarding the plan, etc. See section 705 (e) and (f) of the Act. Also, this option is summarized in the opening paragraph of section 713, followed by seven numbered options for which Part B funds can also be used.

--Provide independent living services to individuals with significant disabilities. This is what we knew under the old Rehab Act as the "Part A" program--the purchase of services for individuals. Note that it is now one option among many.

--Demonstrate ways to expand and to improve independent living services. This option illustrates the tremendous latitude given to the SILCs and state agencies in developing plans for

using the Part B money. For instance, if it is determined that sharing information and acquiring technical assistance via computer networking is a priority, Part B funds may be used to offset long-distance expenses incurred by centers and SILC members in accessing computer networks, such as DIMENET, the computer network for the independent living field. Or, in states filled with earnest techies, the funds could be used to set up a DIMENET host site in the state.

--Support the operation of independent living centers. Part B funds may be used to establish new centers or to supplement funding for existing centers--such centers, of course, must be in compliance with the standards and assurances in section 725 (b) and (c) of the Act.

--Support activities to increase the capacities of public or nonprofit agencies and organizations and other entities to develop comprehensive approaches or systems for providing IL services. Again, this option provides opportunities for creativity. One state is using a significant portion of its Part B funds to establish and to operate a statewide systems advocacy office.

--Conduct studies and analyses, gather information, develop model policies and procedures, and present information, approaches, strategies, findings, conclusions, and recommendations to federal, state, and local policy makers in order to enhance independent living services for individuals with significant disabilities. Under this option, the plan could support, among many other things, activities to learn how councils are fulfilling their responsibilities in other states and how they are using their Part B funds.

--Train individuals with disabilities, individuals providing services to individuals with disabilities, and other persons regarding the independent living philosophy. Obviously, this option could be used to support training workshops on independent living, to hold statewide independent living conferences, and to send council members, agency and center staff, and others to state, regional, and national independent living conferences.

--Provide outreach to populations that are unserved or underserved by programs under Title VII, including minority groups and urban and rural populations. Under this option,

funds could be used to support efforts by centers to work with people who have traumatic head injuries or people with disabilities who are very old or who are very young; materials could be translated into Spanish or other languages; courses could be provided in sign language interpretation; satellite offices could be established in rural communities or minority neighborhoods; and so on.

It should be noted that there are no directions given in the Act on how the Part B funds are to be used. Such decisions are made at the discretion of the statewide independent living council and the state vocational rehab agency as they jointly develop the plan for use of Part B funds. A check-and-balance provision is included in the Act: both the SILC and the state agency must sign off on the plan. Thus, if for instance, the council developed a plan which contained provisions that the state agency did not want to accept, the agency could refuse to sign the plan and negotiations would have to continue. And, vice-versa, of course, should the reverse situation ever occur.

As you can see, this Part B section of the Act is considerably different from the old Part A program. During the period leading up to reauthorization, this portion of Title VII came under considerable discussion. Some advocates worked very hard to ensure that funds would continue to be available for independent living services to individuals. They believed that in many states, it would be some time before a network of centers was established across the state whereby all people with disabilities could receive independent living services (and not just those living in general proximity to a center). Other advocates believed that the amount of funding was so small and would be expended so quickly on individual services that the better approach would be to use the funds on activities that would have impact on a large number of individuals.

The new Part B program represents the compromise position: each state may determine its most pressing needs and is provided tremendous flexibility in how it may address those needs. And, it should be noted that the Act's new requirement that the SILC jointly develop and sign off on the state plan for use of Part B funds is a further demonstration of the extent to which consumer empowerment has been incorporated into the Act. Remember, while state agency representatives sit on the SILC, they are in ex officio, nonvoting roles and the Act requires that a

majority of the members of the SILC be people with disabilities.

Here's your homework: What is in your state plan? (You may get a copy from the chair of the SILC or from the state voc rehab agency.) How much Part B money does your state receive? (Also available from the SILC or state agency.) Knowing all of the options for using Part B funds, are you satisfied with what is provided in the plan? If you have better ideas for putting those funds to work, contact your council members (a list of whom is also available from above). Since it looks like establishment of a three-year plan will be deferred for a year, you have an opportunity to request public hearings prior to development of the plan, as well as prior to signing off on the plan. A lot of work, but as our colleague Jim Tuscher at Paraquad in St. Louis says, independent living is a do-it-yourself program.

You may find it useful to have your own copy of the new Rehab Act and its technical amendments. Call House Documents at (202) 225-3456 and request public law 102-569 and public law 103-73. A version that integrates the technical amendments with the Act is available on DIMENET in the "Files" section, under "Rehab" as rehab93w.zip for a WordPerfect version or rehab93a.zip for an ASCII version. (It is also available in WordPerfect and ASCII in non-zipped versions, but it is a huge document that will take forever to download.)



## FUNDING UNDER SILC JURISDICTION

Some funding sources which fall under the jurisdiction of the statewide independent living council include:

### I. Title VII, Part B of the Rehabilitation Act of 1973, as Amended (Mandatory) - SERVICES FOR INDEPENDENT LIVING

Title VII, Part B funds may be used for up to eight purposes, including support for the operation of the statewide independent living council (SILC). Funds are administered by the designated state agency and minimum allocation per state is \$283,800 in fiscal year 1993-94.

### II. Title VII, Part C of the Rehabilitation Act, as Amended (Mandatory) - CENTERS FOR INDEPENDENT LIVING

Title VII, Part C funds must be used to support the operation of independent living centers which meet the standards and assurances set out in the Rehab Act. Funds may be administered by either the federal Rehabilitation Services Administration or the designated state agency. Generally, the entity which earmarks the greatest amount of funds to support the operation of centers for independent living in the state will administer the funds. State agencies must apply for the right to administer the funds. The minimum allocation per state for fiscal year 1994-95 is \$412,800.

### III. Title I, Part C of the Rehabilitation Act of 1973, as Amended - INNOVATION AND EXPANSION

1.5% of the funds allotted for a state's Title I, Part B Vocational Rehabilitation Services program must be reserved for Title I, Part C: Innovation and Expansion Grants. Section 123 identifies 12 possible uses of these funds, and the twelfth is to support the statewide independent living councils established under Section 705.

### IV. SOCIAL SECURITY REIMBURSEMENT FUNDS

States receive reimbursement under the Social Security Act for Rehab Act funds spent to assist individuals in becoming employed. These funds may be used to carry out the programs under Title I (Vocational Rehabilitation Services), Title VI, Part C (Supported Employment Services), and Title VII (Independent Living Services and Centers for Independent Living).

#### V. STATE CENTER FOR INDEPENDENT LIVING FUNDS

State CIL funds are allocated by a state to support the operation of centers for independent living. States which receive Title VII, Chapter I funds must place the state-funded centers for independent living under the jurisdiction of the SILC for the purpose of planning the independent living center network.

#### VI. STATE INDEPENDENT LIVING SERVICES FUNDS

Other funds may be allocated by a state for the purchase of independent living services and/or support of independent living programs. Funds are generally allocated to the designated state agency. Inclusion in the state plan is not required by the Rehab Act, but may occur at the request of the designated state agency or through negotiations with SILC members.

#### VII. OTHER FUNDING SOURCES

A variety of other resources may be used to support Title VII, Chapter 1. These include, but are not limited to, private funds, in-kind contributions, corporate support, and foundation grants.

SEQUENCE OF TITLE VII, PART C FUNDING REQUIREMENTS

To receive a federal grant under Title VII, Part C, an organization must meet the following requirements:

I. Definition of a Center for Independent Living (CIL)

A center is a:

community-based  
consumer-controlled  
cross-disability  
non-residential  
private, nonprofit organization

II. Fourteen (14) Assurances

The eligible agency shall provide at such time and in such manner as the RSA Commissioner may require, such satisfactory assurances as the RSA Commissioner may require, including satisfactory assurances that:

(1) the applicant is an eligible agency;

(2) the center will be designed and operated within local communities by individuals with disabilities, including an assurance that the center will have a board that is the principal governing body of the center and a majority of which shall be composed of individuals with severe disabilities;

(3) the applicant will comply with the standards . . .;

(4) the applicant will establish clear priorities through annual and three-year program and financial planning objectives for the center, including overall goals or a mission for the center, a work plan for achieving the goals or mission, specific objectives, service priorities, and types of services to be provided, and a description that shall demonstrate how the proposed activities of the applicant are consistent with the most recent three-year state plan under section 704;

(5) the applicant will use sound organizational and personnel assignment practices, including taking affirmative action to employ and advance in employment qualified individuals with severe disabilities on the same terms and conditions required with respect to the employment of individuals with disabilities under section 503;

(6) the applicant will ensure that the majority of the staff and individuals in decision-making positions of the applicant are individuals with disabilities;

(7) the applicant will practice sound fiscal management, including making arrangements for an annual independent fiscal audit;

(8) the applicant will conduct annual self-evaluations, prepare an annual report, and maintain records adequate to measure performance with respect to the standards, containing information regarding, at a minimum

(A) the extent to which the center is in compliance with the standards;

(B) the number and types of individuals with severe disabilities receiving services through the center;

(C) the types of services provided through the center and the number of individuals with severe disabilities receiving each type of service;

(D) the sources and amounts of funding for the operation of the center;

(E) the number of individuals with severe disabilities who are employed by, and the number who are in management and decision-making positions in, the center; and

(F) a comparison, when appropriate, of the activities of the center in prior years with the activities of the center in the most recent year;

(9) individuals with severe disabilities who are seeking or receiving services at the center will be notified by the center of the existence of, the availability of, and how to contact, the client assistance program;

(10) aggressive outreach regarding services provided through the center will be conducted in an effort to reach populations of individuals with severe disabilities that are unserved or underserved by programs under this title, especially minority groups and urban and rural populations;

(11) staff at centers for independent living will receive training on how to serve such unserved and underserved populations, including minority groups and urban and rural populations;

(12) the center will submit to the statewide independent living council a copy of its approved grant application and the annual report required under paragraph (8);

(13) the center will prepare and submit a report to the designated state unit or the commissioner, as the case may be, at the end of each fiscal year that contains the information described in paragraph (8) and information regarding the extent to which the center is in compliance with the standards . . .; and

(14) an independent living plan described in section 704(e) will be developed unless the individual who would receive services under the plan signs a waiver stating that such a plan is unnecessary.

### III. Seven (7) Standards

(1) Philosophy. The center shall promote and practice the independent living philosophy of

(A) consumer control of the center regarding decision-making, service delivery, management, and establishment of the policy and direction of the center;

(B) self-help and self-advocacy;

(C) development of peer relationships and peer role models; and

(D) equal access of individuals with severe disabilities to society and to all services, programs, activities, resources, and facilities, whether public or private and regardless of the funding source.

(2) Provision of services. The center shall provide services to individuals with a range of severe disabilities. The center shall provide services on a cross-disability basis (for individuals with all different types of severe disabilities, including individuals with disabilities who are members of populations that are unserved or underserved by programs under this Act). Eligibility for services at any center for independent living shall not be based on the presence of any one or more specific severe disabilities.

(3) Independent living goals. The center shall facilitate development and achievement of independent living goals selected by individuals with severe disabilities who seek such assistance by the center.

(4) Community options. The center shall work to increase the availability and to improve the quality of community options for independent living in order to facilitate the development and achievement of independent living goals by individuals with severe disabilities.

(5) Independent living core services. The center shall provide independent living core services and, as appropriate, a combination of any other independent living services specified in section 7(30) (B).

(6) Activities to increase community capacity. The center shall conduct activities to increase the capacity of communities within the service area of the center to meet the needs of individuals with severe disabilities.

(7) Resource development activities. The center shall conduct resource development activities to obtain funding from sources other than this chapter.

#### IV. Reporting Compliance through Indicators (written and on-site reviews)

The indicators were published as "notice of proposed rulemaking" in the Federal Register in December 1993, and the public had the opportunity to provide comment through February 22,

1994. The final or "official" version of the indicators are expected to be announced by mid-August 1994. After indicators become "official," all centers receiving Title VII, Part C funding will report their progress and compliance with the above using the indicators as a minimal evaluation system.

SCENARIO ONE:  
"A Piece of the Pie"

John Sparks is the CIL director who represents the rest of the centers on the SILC. At this month's SILC meeting, he is putting forward spending recommendations for the upcoming year. This is the first year the SILC will be considering allocation of funds for anything other than durable medical equipment.

John is requesting that the SILC award \$15,000 grants to each of the state's seven centers. These grants would be one-time expenditures for outreach to persons with sensory disabilities. Outreach to this population has been identified as a major need in the state. The SILC seems to recognize, based on previous discussions, that CILs lack the equipment, training, or both to make an effective effort. John explains to the SILC that some of the money would be used for braille and/or scanners; some would be used to pay for sign language training.

Upon completion of his presentation, two consumers on the council raise their hands to object. Sandy Forrest and Jean Blakeslee complain that people in rural areas of the state were being ignored again. "We were talking over lunch and realized that all the money keeps going to the CILs," Sandy began, "and the CILs are all located in urban areas."

John protests that their statements are only partially correct, since all centers had both urban and rural areas to cover. People in rural areas will benefit from outreach efforts since CILs are required to have staff cover all of the counties within their service areas.

"Both rural and urban areas will gain from our efforts," John concludes. "And," he goes on, "by awarding these grants, the SILC will be responsive to our public input." John is referring to the public forums hosted in each county the previous year.

"Those forums are a joke," Jean claims, "they're hosted by CILs and only CIL people can afford to attend them."

When the vice chair of the council, Amelia Sanchez, questions whether enough is being done to reach out to Native American and Spanish-speaking consumers, John protests loudly. "Why is it that we have to keep revisiting these issues?" he asked. "We set aside time to gather input, everybody gets a chance to advocate for their special interests, and we vote on our priorities."

Enough already!"

"That's easy for you to say," Jean continues, "when CILs get everything. Of course, why wouldn't they? Most of the people on the SILC are center staff and the rest are board members and volunteers."

Before the SILC meeting adjourns, a committee is appointed to try to come up with a compromise.

#### Discussion Points

1. What are some of the factors which may be contributing to the disagreement?
2. If you were a CIL director, what could you do to help resolve this issue?
3. How is the state agency affected by this debate?
4. What practices can the SILC put into place to prevent this problem from coming up again?

SCENARIO TWO:  
"Who's in Charge Anyway?"

Mary Fredericks, the RSA regional representative for independent living, was trying to return a phone call. Bill Gregory, chair of one of that region's SILCs, had left a message that he "needed the help of the feds." After several days she finally caught him at home.

"What can I do to help you?" Mary inquired.

"I've been chair of our council for over a year," Bill began, "and I still don't know what our budget is." Bill went on to explain that the state had failed to provide the financial information the SILC needed to do its planning. "Every time we ask for the information, the state finds some excuse to put us off," he raged.

Mary rolled her eyes. Another one of these calls claiming that the "overbearing" state VR agency was pushing the SILC around. Mary had known the VR director in Bill's state for years and was confident that, even though he had a gruff demeanor, he really had the SILC's best interests in mind.

"Look," she started, "the state plan for independent living must have a budget in it in order for it to be accepted by RSA. And, since the chair had to sign the plan, you must have been involved."

Clearly agitated at her inferences, Bill explained that the council had, in fact, developed a financial plan. The state VR director, however, had not participated in the planning meetings, but had sent the SILC director in his place.

"I guess when the SILC director took the plan back to him, she almost got fired," continued Bill. He was referring to Beth Gooden, the state agency IL counselor who had been promoted to the SILC directorship. "By the time the plan came back to us, it was June 28th and we had no choice but to sign it and send it in. We barely had time to skim it."

Before he signed the plan, Bill did discover that the budget had been changed. When he mentioned it to Beth, she said it was the state agency's right to do that since the state put in a 10% match for the Part B funds. Later, two CIL directors who served on the SILC realized that an outreach grant for expansion of services to a rural part of the state had been removed. Beth

said that the state director had put the funds back into the durable medical equipment pot for use by the state's IL counselors. "Maybe we can do it next year," she offered.

"I don't suppose there's much you can do," concluded Bill. "I keep trying to re-open this discussion, but Beth is getting upset." Bill went on to explain that Beth had challenged his right to chair the council since he was also a board member of a CIL. "She thinks I have a conflict of interest," he stated. "What do you think?"

#### Discussion Points

1. Does Bill have a conflict of interest?
2. If you were Mary, what would you recommend?
3. Is Beth overstepping her authority? (This is a trick question.)
4. There are several technical errors that contribute to Bill's problems. Can you find them?

TERMINOLOGY RELATED TO THE LEGISLATIVE  
AND REGULATORY PROCESS

Law--A requirement passed or enacted by a government body which must be obeyed by everyone over whom that governmental body has authority. An example of a law is the Americans with Disabilities Act (ADA) which, as a federal law, applies to individuals and organizations across the country. State, county, and local governments may also pass laws related to disability that apply to both persons living in and organizations operating in areas covered by those governments. In cases where federal laws differ from state, county, and local laws relating to disability or other issues, the more strict version of the law--or the version requiring the most from individuals and organizations covered--generally must be observed.

Statute--The text of a law that has been passed by a legislative body. Statutes provide details about what is meant by a law that has been passed. Statutes passed by the United States Congress are put together or "codified" in a set of books known as the United States Code. This is usually abbreviated as USC.

Reauthorization--The process of extending a law that covers a specified time period. Most laws that create programs and services--such as the Rehabilitation Act that established medical, vocational, and independent living services for people with disabilities--must be reviewed and reauthorized by legislative bodies periodically. This process is designed to provide some assurance that programs and services continue to address needs of individuals or groups for whom they were initially created through the legislative process. The reauthorization process provides opportunities to correct problems with legislatively mandated services and programs that may not have been anticipated when the legislation was passed initially. The positive changes in the federal independent living program--strengthening the commitment to consumer control and adherence to the independent living philosophy--were facilitated by the fact that the Rehabilitation Act needed to be reauthorized in 1992. This provided a window of opportunity to inform legislators and their staffs about changes in the Act that would strengthen the independent living program and improve community-based services for people with disabilities. It is important that independent living and disability rights advocates become familiar with the

reauthorization schedules for all disability-related legislation. Advocates can then be actively involved in informing legislative personnel and policy makers about problems with the legislation that should be addressed in the reauthorization process. For example, the Individuals with Disabilities Education Act (IDEA) legislation is up for reauthorization in 1994.

**Amendments**--Changes in laws that had been passed previously. When existing legislative programs are modified through reauthorization or through other legislative processes, the modified act is said to be "amended." Thereafter, the legislation is often referred to with its original name followed by the term "amendments" and the year in which the amendments were passed by the legislature. It is important to remember that amendments to legislative programs may involve relatively modest changes to the original legislation or may involve rewriting legislation in whole or in part so that the amendments result in significantly different legislation than was passed initially. The Rehabilitation Act Amendments of 1992 resulted in major modifications of several titles of the Act, including Title VII dealing with independent living.

**Technical Amendments**--Even after legislation has been passed by a legislative body, new information may come to light or new interpretations of previously existing information may emerge that result in changing the wording of the legislation through a process called "technical amendments." Technical amendments are done through an expedited legislative process requiring significantly less time than is usually necessary for passage of a law. It is important to determine what, if any, technical amendments may have been made to legislation previously passed. Technical amendments may involve minor changes in spelling or grammar, or may include significant alterations, such as the technical amendments to the Rehabilitation Act Amendments of 1992 adding training for the statewide independent living councils (SILCs) to the list of purposes for which Title VII funding might be used.

**Citation**--Once laws are passed and statutes are written, they can be "cited" by individuals and organizations responsible for implementing the law. Citations are used to refer to specific sections of the law that might apply in various situations. When "citing" a section of the law, the abbreviation ( ) is usually used to mean section. If two ( ) are used, then more than one section

of a law is being cited. Also, in cases where sections of a law that follow one another are cited, the abbreviation "et seq." may be used. Et seq. stands for "et sequentia," meaning "and the following ones." Whenever a citation lists a section (□) number followed by et seq., it refers to the section cited and the sections that follow it. Citations may also refer to titles, chapters, and parts of an act, as in the case of the Rehabilitation Act, which has nine titles divided into chapters and parts and referred to as sections throughout the Act.

Regulations--The guiding rules prepared by governmental agencies with statutory authority for implementing laws that are passed by legislative bodies. The regulations developed for a law tell individuals and organizations what they are expected to do in order to be in compliance with the law. As was the case with the ADA, there may be several government agencies responsible for developing and implementing regulations involving education, legal processes, transportation, and other areas covered by the law.

Notice of Propose Rulemaking--An announcement that a governmental agency is engaged in developing regulations to implement new or amended legislation. Whenever governmental agencies are charged with developing regulations to guide implementation of legislation, they are required to solicit input from persons affected by the legislation. For most disability-related laws, this is done through publication of a "notice of proposed rule-making" in the Federal Register. These notices provide information about the legislation and draft regulatory statements, as well as about the date by which comments on the proposed regulations must be received and the address to which comments should be sent. It is of vital importance that individuals with disabilities and organizations representing individuals with disabilities respond to these notices in a timely fashion when the proposed regulations have to do with disability-related legislation. Monitoring the Federal Register for such notices is a very important activity.

Code of Federal Regulations--The complete description of all regulations pertaining to specific legislation. As is the case with statutes, regulations for various laws are put together in books known as the Code of Federal Regulations or CFR. As with the United States Code referring to statutes, the Code of Federal Regulations is divided into sections that may be referred to using the □ symbol, and may also be divided into titles, chapters, and parts. A good example of this is

the Rehabilitation Act, which has Title VII, dealing with independent living, and Chapter 1, Parts A, B, and C, dealing with individuals with severe disabilities, and Chapter 2, dealing with independent living services for older individuals who are blind.

Legislative History--The reports generated by various legislative committees in the process of creating a law. During the process of creating legislation, several Congressional committees are usually involved in gathering information that is used in drafting the law and in creating regulations to implement the law. These committee reports and supporting documentation are assembled and retained for use later in implementing the law and interpreting questions about compliance with the law. The documents in which committee reports are contained represent the "legislative history" of a Congressional act. These documents are referred to often by regulatory bodies charged with implementing legislation and may be used by members of the judicial branch if legal action is taken by someone claiming non-compliance with the law by a public or private entity. The legislative history can be very important to advocates and consumers who are working to assure that laws are implemented in accordance with their original intent.

Case Law--Judicial decisions reached in court cases involving legislation passed by governmental bodies. In many cases, interpretations of federal, state, or local statutes are not clearly stated in the original legislation or in regulations developed to implement the legislation. In such cases, definitive interpretation does not occur until an individual or a group files a lawsuit claiming non-compliance with the legislation by a covered entity. The results of such lawsuits, in which judges rather than legislative personnel make authoritative interpretations of the law in question, then become part of the law itself and may be cited in future interpretations of the law. A measure of the authority of case law rulings in interpreting legislative meaning has to do with the judicial level at which the ruling was made. For federal laws, there are three levels: federal district courts, which are trial courts; federal circuit courts, which are courts in which rulings of federal district courts can be reconsidered; and the United States Supreme Court, which hears appeals from federal circuit courts. Supreme Court rulings are the highest in the federal system and are binding over all other federal court rulings.

Technical Assistance Circular--Printed materials produced and distributed by government

agencies that explain regulations for specified legislative programs. Typically these circulars are distributed to representatives of other federal, state, and private agencies that have responsibility for implementing programs covered by federal legislation. These circulars usually identify procedures to be followed by organizations required to comply with regulations. The circulars also indicate the proper office or person to which questions about regulations should be addressed. In cases where forms or other paperwork are required for compliance, copies of forms may be attached to the circular. It is important to review technical assistance circulars carefully in order to understand how federal agencies are interpreting laws and regulations and what these federal agencies are expecting of organizations covered by federal regulations.



THE REHABILITATION ACT OF 1973 AS AMENDED:  
TITLE VII

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TITLE VII - INDEPENDENT LIVING SERVICES AND  
CENTERS FOR INDEPENDENT LIVING

Chapter 1 - Individuals with Severe Disabilities

Part A - General Provisions

Purpose

Sec. 701. 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;

(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 part C of 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.

#### Definitions

Sec. 702. As used in this chapter:

(1) Center for Independent Living.- The term "center for independent living" means a consumer-controlled, community-based, cross-disability, nonresidential private nonprofit agency that -

(A) is designed and operated within a local community by individuals with disabilities; and

(B) provides an array of independent living services.

(2) Consumer Control.- The term "consumer control" means, with respect to an entity, that the entity vests power and authority in individuals with disabilities.

#### Eligibility for Receipt of Services

Sec. 703. Services may be provided under this chapter to any individual with a severe disability, as defined in section 7(15)(B).

#### State Plan

Sec. 704. (a) In General.-

(1) Requirement.- To be eligible to receive financial assistance under this chapter, a State shall submit to the Commissioner, and obtain approval of, a State plan containing such provisions as the Commissioner may require, including, at a minimum, the provisions required in this section.

(2) Joint Development.- The plan under paragraph (1) shall be jointly developed and signed by

(A) the director of the designated State unit; and  
(B) the chairperson of the Statewide Independent Living Council, acting on behalf of and at the direction of the Council.

(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 State independent living services;  
(B) the development and support of a statewide network of centers for independent living; and  
(C) working relationships between - (i) programs providing independent living services and independent living centers; and  
(ii) the vocational rehabilitation program established under title I, and other programs providing services for individuals with disabilities.

(4) Date of Submission.- The State shall submit the plan to the Commissioner 90 days before the completion date of the preceding plan. If a State fails to submit such a plan that complies with the requirements of this section, the Commissioner may withhold financial assistance under this chapter until such time as the State submits such a plan.

(b) Statewide Independent Living Council.- The plan shall provide for the establishment of a Statewide Independent Living Council in accordance with section 705.

(c) Designation of State Unit.- The plan shall designate the designated State unit of such State 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 in which the program is administered by the State under section 723;

(3) keep such records and afford such access to such records as the Commissioner finds to be necessary with respect to the programs; and

(4) submit such additional information or provide such assurances as the Commissioner may require with respect to the programs.

(d) Objectives.- The plan shall -

(1) specify the objectives to be achieved under the plan and establish timelines for the achievement of the objectives; and

(2) explain how such objectives are consistent with and further the purpose of this chapter.

(e) Independent Living Services.- The plan shall provide that the State will provide independent living services under this chapter to individuals with severe disabilities, and will provide the services to such an individual in accordance with an independent living plan mutually agreed upon by an appropriate staff member of the service provider and the individual, unless the individual signs a waiver stating that such a plan is unnecessary.

(f) Scope and Arrangements.- The plan shall describe the extent and scope of independent living services to be provided under this chapter to meet such objectives. If the State makes arrangements, by grant or contract, for providing such services, such arrangements shall be described in the plan.

(g) Network.- The plan shall set forth a design for the establishment of a statewide network of centers for independent living that comply with the standards and assurances set forth in section 725.

(h) Centers.- In States in which State funding for centers for independent living equals or exceeds the amount of funds allotted to the State under part C, as provided in section 723, the plan shall include policies, practices, and procedures governing the awarding of grants to centers for independent living and oversight of such centers consistent with section 723.

(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 independent living rehabilitation service program, the Statewide Independent Living Council, and centers for independent living; and

(2) the designated State unit, other State agencies represented on such Council, other councils that address the needs of specific disability populations and issues, and other public and private entities determined to be appropriate by the Council.

(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 duplication with other Federal, State, and local programs.

(k) Coordination Between Federal and State Sources. The plan shall describe efforts to coordinate Federal and State funding for centers for independent living and independent living services.

(l) 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.

(m) Requirements.- The plan shall provide satisfactory assurances that all recipients of financial assistance under this chapter will (1) notify all individuals seeking or receiving services under this chapter about the availability of the client assistance program under section 112, the purposes of the services provided under such program, and how to contact such program;

(2) take affirmative action to employ and advance in employment qualified individuals with disabilities on the same terms and conditions required with respect to the employment of such individuals under the provisions of section 503;

(3) adopt such fiscal control and fund accounting procedures as may be necessary to ensure the proper disbursement of and accounting for funds paid to the State under this chapter;

(4) (A) maintain records that fully disclose -

(i) the amount and disposition by such recipient of the proceeds of such financial assistance;

(ii) the total cost of the project or undertaking in connection with which such financial assistance is given or used; and (iii) the amount of that portion of the cost of the project or undertaking supplied by other sources;

(B) maintain such other records as the Commissioner determines to be appropriate to facilitate an effective audit;

(C) afford such access to records maintained under subparagraphs (A) and (B) as the Commissioner determines to be appropriate; and

(D) submit such reports with respect to such records as the Commissioner determines to be appropriate;

(5) provide access to the Commissioner and the Comptroller General or any of their duly authorized representatives, for the purpose of conducting audits and examinations, of any books,

documents, papers, and records of the recipients that are pertinent to the financial assistance received under this chapter; and

(6) provide for public hearings regarding the contents of the plan during both the formulation and review of the plan.

(n) Evaluation.- The plan shall establish a method for the periodic evaluation of the effectiveness of the plan in meeting the objectives established in subsection (d), including evaluation of satisfaction by individuals with disabilities.

#### Statewide Independent Living Council

Sec. 705. (a) Establishment.- To be eligible to receive financial assistance under this chapter, each State shall establish 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.

(b) Composition and Appointment.-

(1) Appointment.- Members of the Council shall be appointed by the Governor or the appropriate entity within the State responsible for making appointments, within 90 days after the date of enactment of the Rehabilitation Act Amendments of 1992. The appointing authority shall select members after soliciting recommendations from representatives of organizations representing a broad range of individuals with disabilities and organizations interested in individuals with disabilities.

(2) Composition.- The Council shall include -

(A) at least one director of a center for independent living chosen by the directors of centers for independent living within the State; and

(B) as ex officio, nonvoting members -

(i) a representative from the designated State unit; and

(ii) representatives from other State agencies that provide services for individuals with disabilities.

(3) Additional Members.- The Council may include -

(A) other representatives from centers for independent living;

(B) parents and guardians of individuals with disabilities;

(C) advocates of and for individuals with disabilities;

(D) representatives from private businesses;

(E) representatives from organizations that provide services for individuals with disabilities; and

(F) other appropriate individuals.

(4) Qualifications.-

(A) In General.- The Council shall be composed of members-

- (i) who provide statewide representation;
- (ii) who represent a broad range of individuals with disabilities;
- (iii) who are knowledgeable about centers for independent living and independent living services; and

- (iv) a majority of whom are persons who are -

- (I) individuals with disabilities described in section 7(8)(B); and
- (II) not employed by any State agency or center for independent living.

(B) Voting Members.- A majority of the voting members of the Council shall be-

- (i) individuals with disabilities described in section 7(8)(B); and
- (ii) not employed by any State agency or center for independent living.

(5) Chair

(A) In General.- Except as provided in subparagraph (B), the Council shall select a chairperson from among the voting membership of the Council.

(B) Designation by Governor.- In States in which the Governor does not have veto power pursuant to State law, the Governor shall designate a voting member of the Council to serve as the chairperson of the Council or shall require the Council to so designate such a voting member.

(6) Terms of Appointment.-

(A) Length of Term.- Each member of the Council shall serve for a term of 3 years, except that -

- (i) a member appointed to fill a vacancy occurring prior to the expiration of the term for which the predecessor was appointed, shall be appointed for the remainder of such term; and

- (ii) the terms of service of the members initially appointed shall be (as specified by the appointing authority) for such fewer number of years as will provide for the expiration of terms on a staggered basis.

(B) Number of Terms.- No member of the Council may serve more than two consecutive full terms.

(7) Vacancies.- 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.

(c) Duties.- The Council shall -

- (1) jointly develop and sign (in conjunction with the designated State unit) the State plan

required in section 704;

(2) monitor, review, and evaluate the implementation of the State plan;

(3) coordinate activities with the State Rehabilitation Advisory Council established under section 105 and councils that address the needs of specific disability populations and issues under other Federal law;

(4) ensure that all regularly scheduled meetings of the Council are open to the public and sufficient advance notice is provided; and

(5) submit to the Commissioner such periodic reports as the Commissioner may reasonably request, and keep such records, and afford such access to such records, as the Commissioner finds necessary to verify such reports.

(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.

(e) Plan.-

(1) In General.- The Council shall prepare, in conjunction with the designated State unit, a plan for the provision of such resources, including such staff and personnel, as may be necessary to carry out the functions of the Council under this section, with funds made available under this chapter and part C of title I and from other public and private sources. The resource plan shall, to the maximum extent possible, rely on the use of resources in existence during the period of implementation of the plan.

(2) Supervision and Evaluation.- Each Council shall, consistent with State law, supervise and evaluate such staff and other personnel as may be necessary to carry out the functions of the Council under this section.

(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 agency or any other agency or office of the State, that would create a conflict of interest.

(f) Compensation and Expenses.- The Council may use such resources to reimburse members of the Council for reasonable and necessary expenses of attending Council meetings and performing Council duties (including child care and personal assistance services), and to pay compensation to a member of the Council, if such member is not employed or must forfeit wages from other employment, for each day the member is engaged in performing Council duties.

(g) Use of Existing Councils.- To the extent that a State has established a Council before September 30, 1992, that is comparable to the Council described in this section, such Council

shall be considered to be in compliance with this section. Within 1 year after the date of enactment of the Rehabilitation Act Amendments of 1992, such State shall establish a Council that complies in full with this section.

#### Responsibilities of the Commissioner

##### Sec. 706. (a) Approval of State Plans.-

(1) In General.- The Commissioner shall approve any State plan submitted under section 704 that the Commissioner determines meets the requirements of section 704, and shall disapprove any such plan that does not meet such requirements, as soon as practicable after receiving the plan. Prior to such disapproval, the Commissioner shall notify the State of the intention to disapprove the plan, and shall afford such State reasonable notice and opportunity for a hearing.

##### (2) Procedures.-

(A) Except as provided in subparagraph (B), the provisions of subsections (c) and (d) of section 107 shall apply to any State plan submitted to the Commissioner under section 704.

(B) For purposes of the application described in subparagraph (A), all references in such provisions -

(i) to the Secretary shall be deemed to be references to the Commissioner; and

(ii) to section 101 shall be deemed to be references to section 704.

(b) Indicators.- Not later than October 1, 1993, the Commissioner shall develop and publish in the Federal Register indicators of minimum compliance consistent with the standards set forth in section 725.

##### (c) On-Site Compliance Reviews.-

(1) Reviews.- The Commissioner shall annually conduct on-site compliance reviews of at least 15 percent of the centers for independent living that receive funds under section 722 and shall periodically conduct such a review of each such center. The Commissioner shall annually conduct on-site compliance reviews of at least one-third of the designated State units that receive funding under section 723, and, to the extent necessary to determine the compliance of such a State unit with subsections (f) and (g) of section 723, centers that receive funding under section 723 in such State. The Commissioner shall select such centers and such State units for review on a random basis.

(2) Qualification of Employees Conducting Reviews.- The Commissioner shall-

(A) to the maximum extent practicable, carry out such a review by using employees of the Department who are knowledgeable about the provision of independent living services;

(B) ensure that the employee of the Department with responsibility for supervising such a review shall have such knowledge; and

(C) ensure that at least one member of a team conducting such a review shall be an individual who -

(i) is not a government employee; and

(ii) has experience in the operation of centers for independent living.

(d) Reports.- The Commissioner shall include, in the annual report required under section 13, information on the extent to which centers for independent living receiving funds under part C have complied with the standards set forth in section 725. The Commissioner may identify individual centers for independent living in the analysis. The Commissioner shall report the results of on-site compliance reviews, identifying individual centers for independent living and other recipients of assistance under this chapter.

#### Part B - Independent Living Services

##### Allotments

Sec. 711. (a) In General.-

(1) States.-

(A) Population Basis.- Except as provided in subparagraphs (B) and (C), from sums appropriated for each fiscal year to carry out this part, the Commissioner shall make an allotment to each State whose State plan has been approved under section 706 of an amount bearing the same ratio to such sums as the population of the State bears to the population of all States.

(B) Maintenance of 1992 Amounts.- Subject to the availability of appropriations to carry out this part, the amount of any allotment made under subparagraph (A) to a State for a fiscal year shall not be less than the amount of an allotment made to the State for fiscal year 1992 under part A of this title, as in effect on the day before the date of enactment of the Rehabilitation Act Amendments of 1992.

(C) Minimums.- Subject to the availability of appropriations to carry out this part, and except as provided in subparagraph (B), the allotment to any State under subparagraph (A) shall not be less than \$275,000 or one-third of one percent of the sums made available for the fiscal

year for which the allotment is made, whichever is greater, and the allotment of any State under this section for any fiscal year that is less than \$275,000 or one-third of 1 percent of such sums shall be increased to the greater of the two amounts.

(2) Certain Territories.-

(A) In General.- For the purposes of paragraph (1)(C), Guam, American Samoa, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau shall not be considered States.

(B) Allotment.- Each jurisdiction described in subparagraph (A) shall be allotted under paragraph (1)(A) not less than one-eighth of 1 percent of the amounts made available for purposes of this part for the fiscal year for which the allotment is made, except that the Republic of Palau may receive such allotment under this section only until the Compact of Free Association with Palau takes effect.

(3) Adjustment for Inflation.- For any fiscal year, beginning in fiscal year 1994, in which the total amount appropriated to carry out this part exceeds the total amount appropriated to carry out this part for the preceding fiscal year by a percentage greater than the most recent percentage change in the Consumer Price Index For All Urban Consumers published by the Secretary of Labor under section 100(c)(1), the Commissioner shall increase the minimum allotment under paragraph (1)(C) by such percentage change in the Consumer Price Index For All Urban Consumers.

(b) Proportional Reduction.- To provide allotments to States in accordance with subsection

(a)(1)(B), to provide minimum allotments to States (as increased under subsection (a)(3)) under subsection (a)(1)(C), or to provide minimum allotments to States under subsection (a)(2)(B), the Commissioner shall proportionately reduce the allotments of the remaining States under subsection (a)(1)(A), with such adjustments as may be necessary to prevent the allotment of any such remaining State from being reduced to less than the amount required by subsection (a)(1)(B).

(c) Reallotment.- Whenever the Commissioner determines that any amount of an allotment to a State for any fiscal year will not be expended by such State in carrying out the provisions of this part, the Commissioner shall make such amount available for carrying out the provisions of this

part to one or more of the States that the Commissioner determines will be able to use additional amounts during such year for carrying out such purposes. Any amount made available to a State for any fiscal year pursuant to the preceding sentence shall, for the purposes of this section, be regarded as an increase in the allotment of the State (as determined under the preceding provisions of this section) for such year.

#### Payments to States from Allotments

Sec. 712. (a) Payments.- From the allotment of each State for a fiscal year under section 711, the State shall be paid the Federal share of the expenditures incurred during such year under its State plan approved under section 706. Such payments may be made (after necessary adjustments on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and in such installments and on such conditions as the Commissioner may determine.

#### (b) Federal Share.-

(1) In General.- The Federal share with respect to any State for any fiscal year shall be 90 percent of the expenditures incurred by the State during such year under its State plan approved under section 706.

(2) Non-Federal Share.- The non-Federal share of the cost of any project that receives assistance through an allotment under this part may be provided in cash or in kind, fairly evaluated, including plant, equipment, or services.

#### Authorized Uses of Funds

Sec. 713. The State may use funds received under this part to provide the resources described in section 705(e), relating to the Statewide Independent Living Council, and may use funds received under this part -

(1) to provide independent living services to individuals with severe disabilities;

(2) to demonstrate ways to expand and improve independent living services;

(3) to support the operation of centers for independent living that are in compliance with the standards and assurances set forth in subsections (b) and (c) of section 725;

(4) to support activities to increase the capacities of public or nonprofit agencies and organizations and other entities to develop comprehensive approaches or systems for providing independent living services;

(5) to conduct studies and analyses, gather information, develop model policies and procedures, and present information, approaches, strategies, findings, conclusions, and recommendations to Federal, State, and local policymakers in order to enhance independent living services for individuals with disabilities;

(6) to train individuals with disabilities and individuals providing services to individuals with disabilities and other persons regarding the independent living philosophy; and

(7) to provide outreach to populations that are unserved or underserved by programs under this title, including minority groups and urban and rural populations.

#### Authorization of Appropriations

Sec. 714. There are authorized to be appropriated to carry out this part such sums as may be necessary for each of the fiscal years 1993, 1994, 1995, 1996, and 1997.

#### Part C - Centers for Independent Living

##### Program Authorization

Sec. 721. (a) In General.- From the funds appropriated for fiscal year 1994 and for each subsequent fiscal year to carry out this part, the Commissioner shall allot such sums as may be necessary to States and other entities in accordance with subsections (b) through (d).

##### (b) Training.-

(1) Grants; Contracts; Other Arrangements.- For any fiscal year in which the funds appropriated to carry out this part exceed the funds appropriated to carry out this part for fiscal year 1993, the Commissioner shall first reserve from such excess, to provide training and technical assistance to eligible agencies, centers for independent living, and Statewide Independent Living Councils for such fiscal year, not less than 1.8 percent, and not more than 2 percent, of the funds appropriated to carry out this part for the fiscal year involved.

(2) Allocation.- From the funds reserved under paragraph (1), the Commissioner shall make

grants to, and enter into contracts and other arrangements with, entities who have experience in the operation of centers for independent living to provide such training and technical assistance with respect to planning, developing, conducting, administering, and evaluating centers for independent living.

(3) Funding Priorities.- The Commissioner shall conduct a survey of Statewide Independent Living Councils and centers for independent living regarding training and technical assistance needs in order to determine funding priorities for such grants, contracts, and other arrangements.

(4) Review.- To be eligible to receive a grant or enter into a contract or other arrangement under this subsection, such an entity shall submit an application to the Commissioner at such time, in such manner, and containing a proposal to provide such training and technical assistance, and containing such additional information as the Commissioner may require. The Commissioner shall provide for peer review of grant applications by panels that include persons who are not government employees and who have experience in the operation of centers for independent living.

(5) Prohibition on Combined Funds.- No funds reserved by the Commissioner under this subsection may be combined with funds appropriated under any other Act or part of this Act if the purpose of combining funds is to make a single discretionary grant or a single discretionary payment, unless such funds appropriated under this chapter are separately identified in such grant or payment and are used for the purposes of this chapter.

(c) In General.-

(1) States.-

(A) Population Basis.- After the reservation required by subsection (b) has been made, and except as provided in subparagraphs (B) and (C), from the remainder of the amounts appropriated for each such fiscal year to carry out this part, the Commissioner shall make an allotment to each State whose State plan has been approved under section 706 of an amount bearing the same ratio to such remainder as the population of the State bears to the population of all States.

(B) Maintenance of 1992 Amounts.- Subject to the availability of appropriations to carry out

this part, the amount of any allotment made under subparagraph (A) to a State for a fiscal year shall not be less than the amount of financial assistance received by centers for independent living in the State for fiscal year 1992 under part B of this title, as in effect on the day before the date of enactment of the Rehabilitation Act Amendments of 1992.

(C) Minimums.- Subject to the availability of appropriations to carry out this part and except as provided in subparagraph (B), for a fiscal year in which the amounts appropriated to carry out this part exceed the amounts appropriated for fiscal year 1992 to carry out part B of this title, as in effect on the day before the date of enactment of the Rehabilitation Act Amendments of 1992 -

(i) if such excess is not less than \$8,000,000, the allotment to any State under subparagraph (A) shall be not less than \$450,000 or one-third of one percent of the sums made available for the fiscal year for which the allotment is made, whichever is greater, and the allotment of any State under this section for any fiscal year that is less than \$450,000 or one-third of one percent of such sums shall be increased to the greater of the two amounts;

(ii) if such excess is not less than \$4,000,000 and is less than \$8,000,000, the allotment to any State under subparagraph (A) shall be not less than \$400,000 or one third of one percent of the sums made available for the fiscal year for which the allotment is made, whichever is greater, and the allotment of any State under this section for any fiscal year that is less than \$400,000 or one-third of one percent of such sums shall be increased to the greater of the two amounts; and

(iii) if such excess is less than \$4,000,000, the allotment to any State under subparagraph (A) shall approach, as nearly as possible, the greater of the two amounts described in clause (ii).

(2) Certain Territories.-

(A) In General.- For the purposes of paragraph (1)(C), Guam, American Samoa, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau shall not be considered to be States.

(B) Allotment.- Each jurisdiction described in subparagraph (A) shall be allotted under paragraph (1)(A) not less than one-eighth of one percent of the remainder for the fiscal year for which the allotment is made, except that the Republic of Palau may receive such allotment under this section only until the Compact of Free Association with Palau takes effect.

(3) Adjustment for Inflation.- For any fiscal year, beginning in fiscal year 1994, in which the total amount appropriated to carry out this part exceeds the total amount appropriated to carry out this part for the preceding fiscal year by a percentage greater than the most recent percentage change in the Consumer Price Index For All Urban Consumers published by the Secretary of Labor under section 100(c)(1), the Commissioner shall increase the minimum allotment under paragraph (1)(C) by such percentage change in the Consumer Price Index For all Urban Consumers.

(4) Proportional Reduction.- To provide allotments to States in accordance with paragraph (1)(B), to provide minimum allotments to States (as increased under paragraph (3)) under paragraph (1)(C), or to provide minimum allotments to States under paragraph (2)(B), the Commissioner shall proportionately reduce the allotments of the remaining States under paragraph (1)(A), with such adjustments as may be necessary to prevent the allotment of any such remaining State from being reduced to less than the amount required by paragraph (1)(B).

(d) Reallotment.- Whenever the Commissioner determines that any amount of an allotment to a State for any fiscal year will not be expended by such State for carrying out the provisions of this part, the Commissioner shall make such amount available for carrying out the provisions of this part to one or more of the States that the Commissioner determines will be able to use additional amounts during such year for carrying out such provisions. Any amount made available to a State for any fiscal year pursuant to the preceding sentence shall, for the purposes of this section, be regarded as an increase in the allotment of State (as determined under the preceding provisions of this section) for such year.

(e) Transition Rules.-

(1) Reservation.-

(A) Fiscal Year 1993.- For fiscal year 1993, the Commissioner shall first reserve from the funds appropriated to carry out this part, not less than 1.8 percent, and not more than 2 percent, of such funds for training, technical assistance, and transition assistance, to centers for independent living.

(B) Training and Technical Assistance.- From the funds reserved under subparagraph (A),

the Commissioner shall make grants to, and enter into contracts and other arrangements with, entities who have experience in the operation of centers for independent living, to -

(i) provide such training and technical assistance with respect to planning, developing, conducting, administering, and evaluating centers for independent living; and

(ii) provide such transition assistance to assist the centers with efforts to achieve compliance with the standards and assurances set forth in this part.

(C) Review.- To be eligible to receive a grant or enter into a contract or other arrangement under this paragraph, such an entity shall submit an application to the Commissioner at such time, in such manner, and containing a proposal to provide such training, technical assistance, and transition assistance and containing such additional information as the Commissioner may require. The Commissioner shall provide for peer review of such proposals by panels that include persons who are not government employees and who have experience in the operation of centers for independent living.

(D) Prohibition on Combined Funds.- An entity that receives funds under this paragraph shall comply with subsection (b) (5) with respect to the funds.

(2) In General.-

(A) Grants.- After the reservation required by paragraph (1) has been made, and from the remainder of the funds appropriated for fiscal year 1993 to carry out this part, the Secretary is authorized to make grants to eligible agencies described in subparagraph (B) to operate centers for independent living.

(B) Agencies.-

(i) Fiscal Year 1992 Recipients.- Entities that received funding directly or through subgrants or contracts under part B, as in effect on the day before the date of enactment of the Rehabilitation Act Amendments of 1992, in fiscal year 1992 shall receive assistance under this part for fiscal year 1993 if the entities submit applications that demonstrate to the satisfaction of the Commissioner that as of October 1, 1993 such entities will be private nonprofit agencies that meet the standards described in section 725(b), and that contain the assurances described in section 725(c). In determining whether a center meets the standards described in section 725(b), the Commissioner will look for information that shows how the center will meet each standard.

The Commissioner shall consider any data on past performance that is provided by the agency that shows how the center has been meeting the standards.

(ii) Other Agencies.- Private nonprofit agencies that did not receive assistance under part B, as in effect on the day before the date of enactment of the Rehabilitation Act Amendments of 1992, in fiscal year 1992 may receive assistance under this part for fiscal year 1993 if the agencies submit satisfactory applications for fiscal year 1993. In determining whether an application is satisfactory, the Secretary shall use the criteria for selection of centers specified in section 722(d)(2)(B).

(iii) Funding Method.- In making awards under this subsection, the Secretary shall distribute funds in accordance with paragraphs (1), (2), and (4) of subsection (c), and subsection (d).

(C) Priority.- The Secretary may not award funds to a private nonprofit agency that did not receive assistance under part B, as in effect on the day before the date of enactment of the Rehabilitation Act Amendments of 1992, in fiscal year 1992 until the Secretary has funded all agencies within each State that received such funding and have submitted applications described in subparagraph (B)(i) for fiscal year 1993.

Grants to Centers for Independent Living in States  
in Which Federal Funding Exceeds State Funding

Sec. 722. (a) Establishment.-

(1) In General.- Unless the director of a designated State unit awards grants under section 723 to eligible agencies in a State for a fiscal year, the Commissioner shall award grants under this section to such eligible agencies for such fiscal year from the amount of funds allotted to the State under subsection (c), or (d) of section 721 for such year.

(2) Grants.- The Commissioner shall award such grants, from the amount of funds so allotted, to such eligible agencies for the planning, conduct, administration, and evaluation of centers for independent living that comply with the standards and assurances set forth in section 725.

(b) Eligible Agencies.- In any State in which the Commissioner has approved the State plan required by section 704, the Commissioner may make a grant under this section to any eligible agency that -

(1) has the power and authority to carry out the purpose of this part and perform the functions

set forth in section 725 within a community and to receive and administer funds under this part, funds and contributions from private or public sources that may be used in support of a center for

independent living, and funds from other public and private programs;  
(2) is determined by the Commissioner to be able to plan, conduct, administer, and evaluate a center for independent living consistent with the standards and assurances set forth in section 725; and

(3) submits an application to the Commissioner at such time, in such manner, and containing such information as the Commissioner may require.

(c) Existing Eligible Agencies.- In the administration of the provisions of this section, the Commissioner shall award grants to any eligible agency that has been awarded a grant under this part on September 30, 1993, unless the Commissioner makes a finding that the agency involved fails to meet program and fiscal standards and assurances set forth in section 725.

(d) New Centers for Independent Living.-

(1) In General.- If there is no center for independent living serving a region of the State or a region is underserved, and the increase in the allotment of the State is sufficient to support an additional center for independent living in the State, the Commissioner may award a grant under this section to the most qualified applicant proposing to serve such region, consistent with the provisions in the State plan setting forth the design of the State for establishing a statewide network of centers for independent living.

(2) Selection.- In selecting from among the applicants for a grant under this section for a new center for independent living, the Commissioner -

(A) shall consider comments regarding the application, if any, by the Statewide Independent Living Council in the State in which the applicant is located;

(B) shall consider the ability of each such applicant to operate a center for independent living based on -

(i) evidence of the need for such a center;

(ii) any past performance of such applicant in providing services comparable to independent living services;

(iii) the plan for satisfying or demonstrated success in satisfying the standards and the assurances set forth in section 725;

(iv) the quality of key personnel and the involvement of individuals with severe disabilities;

(v) budgets and cost-effectiveness;

(vi) an evaluation plan; and

(vii) the ability of such applicant to carry out the plans; and

(C) shall give priority to applications from applicants proposing to serve geographic areas within each State that are currently unserved or underserved, by independent living programs, consistent with the provisions of the State plan submitted under section 704 regarding establishment of a statewide network of centers for independent living.

(3) Current Centers.- Notwithstanding paragraphs (1) and (2), a center for independent living that receives assistance under part B (or part A as in effect on the day before the date of enactment of the Rehabilitation Act Amendments of 1992) for a fiscal year for the general operation of the center shall be eligible for a grant for the subsequent fiscal year under this subsection.

(e) Order of Priorities.- The Commissioner shall be guided by the following order of priorities in allocating funds among centers for independent living within a State, to the extent funds are available:

(1) The Commissioner shall support existing centers for independent living, as described in subsection (c), that comply with the standards and assurances set forth in section 725, at the level of funding for the previous year.

(2) The Commissioner shall provide for a cost-of-living increase for such existing centers for independent living.

(3) The Commissioner shall fund new centers for independent living, as described in subsection (d), that comply with the standards and assurances set forth in section 725.

(f) Nonresidential Agencies.- A center that provides or manages residential housing after October 1, 1994, shall not be considered to be an eligible agency under this section.

(g) Review.-

(1) In General.- The Commissioner shall periodically review each center receiving funds under this section to determine whether such center is in compliance with the standards and assurances set forth in section 725. If the Commissioner determines that any center receiving funds under this section is not in compliance with the standards and assurances set forth in section 725, the Commissioner shall immediately notify such center that it is out of compliance.

(2) Enforcement.- The Commissioner shall terminate all funds under this section to such center 90 days after the date of such notification unless the center submits a plan to achieve compliance

within 90 days of such notification and such plan is approved by the Commissioner.

Grants to Centers for Independent Living in States  
in Which State Funding Equals or Exceeds Federal Funding

Sec. 723. (a) Establishment.-

(1) In General.-

(A) Initial Year.-

(i) Determination.- Beginning on October 1, 1993, the director of a designated State unit, as provided in paragraph (2), or the Commissioner, as provided in paragraph (3), shall award grants under this section for an initial fiscal year if the Commissioner determines that the amount of State funds that were earmarked by a State for a preceding fiscal year to support the general operation of centers for independent living meeting the requirements of this part equaled or exceeded the amount of funds allotted to the State under subsection (c) or (d) of section 721 for such year.

(ii) Grants.- The director or the Commissioner, as appropriate, shall award such grants, from the amount of funds so allotted for the initial fiscal year, to eligible agencies in the State for the planning, conduct, administration, and evaluation of centers for independent living that comply with the standards and assurances set forth in section 725.

(iii) Regulation.- The Commissioner shall by regulation specify the preceding fiscal year with respect to which the Commissioner will make the determination described in clause (i) and subparagraph (B), making such adjustments as may be necessary to accommodate State funding cycles such as 2-year funding cycles or State fiscal years that do not coincide with the Federal fiscal year.

(B) Subsequent Years.- For each year subsequent to the initial fiscal year described in subparagraph (A), the director of the designated State unit shall continue to have the authority to award such grants under this section if the Commissioner determines that the State continues to earmark the amount of State funds described in subparagraph (A)(i). If the State does not continue to earmark such an amount for a fiscal year, the State shall be ineligible to make grants under this section after a final year following such fiscal year, as defined in accordance with regulations established by the Commissioner, and for each subsequent fiscal year.

(2) Grants by Designated State Units.- In order for the designated State unit to be eligible to

award the grants described in paragraph (1) and carry out this section for a fiscal year with respect to a State, the designated State agency shall submit an application to the Commissioner at such time, and in such manner as the Commissioner may require, including information about the amount of State funds described in paragraph (1) for the preceding fiscal year. If the Commissioner makes a determination described in subparagraph (A) (i) or (B), as appropriate, of paragraph (1), the Commissioner shall approve the application and designate the director of the designated State unit to award the grant and carry out this section.

(3) Grants by Commissioner.- If the designated State agency of a State described in paragraph (1) does not submit and obtain approval of an application under paragraph (2), the Commissioner shall award the grant described in paragraph (1) to eligible agencies in the State in accordance with section 722.

(b) Eligible Agencies.- In any State in which the Commissioner has approved the State plan required by section 704, the director of the designated State unit may award a grant under this section to any eligible agency that -

(1) has the power and authority to carry out the purpose of this part and perform the functions set forth in section 725 within a community and to receive and administer funds under this part, funds and contributions from private or public sources that may be used in support of a center for independent living, and funds from other public and private programs;

(2) is determined by the director to be able to plan, conduct, administer, and evaluate a center for independent living, consistent with the standards and assurances set forth in section 725; and

(3) submits an application to the director at such time, in such manner, and containing such information as the head of the designated State unit may require.

(c) Existing Eligible Agencies.- In the administration of the provisions of this section, the director of the designated State unit shall award grants under this section to any eligible agency that has been awarded a grant under this part by September 30, 1993, unless the director makes a finding that the agency involved fails to comply with the standards and assurances set forth in section 725.

(d) New Centers for Independent Living.-

(1) In General.- If there is no center for independent living serving a region of the State or the region is unserved or underserved, and the increase in the allotment of the State is sufficient to

support an additional center for independent living in the State, the director of the designated State unit may award a grant under this section from among eligible agencies, consistent with the provisions of the State plan under section 704 setting forth the design of the State for establishing a statewide network of centers for independent living.

(2) Selection.- In selecting from among eligible agencies in awarding a grant under this part for a new center for independent living -

(A) the director of the designated State unit and the chairperson of, or other individual designated by, the Statewide Independent Living Council acting on behalf of and at the direction of the Council, shall jointly appoint a peer review committee that shall rank applications in accordance with the standards and assurances set forth in section 725 and criteria jointly established by such director and such chairperson or individual;

(B) the peer review committee shall consider the ability of each such applicant to operate a center for independent living, and shall recommend an applicant to receive a grant under this section, based on -

(i) evidence of the need for a center for independent living, consistent with the State plan;

(ii) any past performance of such applicant in providing services comparable to independent living services;

(iii) the plan for complying with, or demonstrated success in complying with, the standards and the assurances set forth in section 725;

(iv) the quality of key personnel of the applicant and the involvement of individuals with severe disabilities by the applicant;

(v) the budgets and cost-effectiveness of the applicant;

(vi) the evaluation plan of the applicant; and

(vii) the ability of such applicant to carry out the plans; and

(C) the director of the designated State unit shall award the grant on the basis of the recommendations of the peer review committee if the actions of the committee are consistent with Federal and State law.

(3) Current Centers.- Notwithstanding paragraphs (1) and (2), a center for independent living that receives assistance under part B (or part A as in effect on the day before the date of enactment of the Rehabilitation Act Amendments of 1992) for a fiscal year for the general operation of the center shall be eligible for a grant for the subsequent fiscal year under this subsection.

(e) Order of Priorities.- Unless the director of the designated State unit and the chairperson of the Council or other individual designated by the Council acting on behalf of and at the direction

of the Council jointly agree on another order of priority, the director shall be guided by the following order of priorities in allocating funds among centers for independent living within a State, to the extent funds are available:

(1) The director of the designated State unit shall support existing centers for independent living, as described in subsection (c), that comply with the standards and assurances set forth in section 725, at the level of funding for the previous year.

(2) The director of the designated State unit shall provide for a cost-of-living increase for such existing centers for independent living.

(3) The director of the designated State unit shall fund new centers for independent living, as described in subsection (d), that comply with the standards and assurances set forth in section 725.

(f) Nonresidential Agencies.- A center that provides or manages residential housing after October 1, 1994, shall not be considered to be an eligible agency under this section.

(g) Review.-

(1) In General.- The director of the designated State unit shall periodically review each center receiving funds under this section to determine whether such center is in compliance with the standards and assurances set forth in section 725. If the director of the designated State unit determines that any center receiving funds under this section is not in compliance with the standards and assurances set forth in section 725, the director of the designated State unit shall immediately notify such center that it is out of compliance.

(2) Enforcement.- The director of the designated State unit shall terminate all funds under this section to such center 90 days after -

(A) the date of such notification; or

(B) in the case of a center that requests an appeal under subsection (i), the date of any final decision under subsection (i), unless the center submits a plan to achieve compliance within 90 days and such plan is approved by the director, or if appealed, by the Commissioner.

(h) On-Site Compliance Review.- The director of the designated State unit shall annually conduct on-site compliance reviews of at least 15 percent of the centers for independent living that receive funding under this section in the State. Each team that conducts on-site compliance review of centers for independent living shall include at least one person who is not an employee of the designated State agency, who has experience in the operation of centers for independent

living, and who is jointly selected by the director of the designated State unit and the chairperson of or other individual designated by the Council acting on behalf of and at the direction of the Council. A copy of this review shall be provided to the Commissioner.

(i) Adverse Actions.- If the director of the designated State unit proposes to take a significant adverse action against a center for independent living, the center may seek mediation and conciliation to be provided by an individual or individuals who are free of conflicts of interests identified by the chairperson of or other individual designated by the Council. If the issue is not resolved through mediation and conciliation, the center may appeal the proposed adverse action to the Commissioner for a final decision.

#### Centers Operated by State Agencies

Sec. 724. (a) Fiscal Year 1993.-

(1) In General. Notwithstanding section 702(1), if-

(A) no nonprofit private agency -

(i) submits an acceptable application to operate a center for independent living for fiscal year 1993 before a date specified by the Commissioner; and

(ii) obtains approval of the application under section 722 or 723; and

(B) a State directly operated such a center in fiscal year 1992 with funds provided under part B, as in effect on the day before the date of enactment of the Rehabilitation Act Amendments of 1992, the State may apply to the Commissioner for assistance under section 721(e) (2) for the conduct, administration, and evaluation of such a center.

(2) Compliance.- A State that receives assistance with respect to a center in accordance with paragraph (1) shall ensure that the center shall comply with all the requirements of this part, other than the requirement that the center be a private nonprofit agency.

(b) Fiscal Year 1994 and Succeeding Fiscal Years.- A State that receives assistance for fiscal year 1993 with respect to a center in accordance with subsection (a) may continue to receive assistance under this part for fiscal year 1994 or a succeeding fiscal year if, for such fiscal year -

(1) no nonprofit private agency -

(A) submits an acceptable application to operate a center for independent living for the fiscal year before a date specified by the Commissioner; and

(B) obtains approval of the application under section 722 or 723; or

(2) after funding all applications so submitted and approved, the Commissioner determines that funds remain available to provide such assistance.

Standards and Assurances for Centers for  
Independent Living

Sec. 725. (a) In General.- Each center for independent living that receives assistance under this part shall comply with the standards set out in subsection (b) and provide and comply with the assurances set out in subsection (c) in order to ensure that all programs and activities under this part are planned, conducted, administered, and evaluated in a manner consistent with the purposes of this chapter and the objective of providing assistance effectively and efficiently.

(b) Standards.-

(1) Philosophy.- The center shall promote and practice the independent living philosophy of -

(A) consumer control of the center regarding decision-making, service delivery, management, and establishment of the policy and direction of the center;

(B) self-help and self-advocacy;

(C) development of peer relationships and peer role models; and

(D) equal access of individuals with severe disabilities to society and to all services, programs, activities, resources, and facilities, whether public or private and regardless of the funding source.

(2) Provision of Services.- The center shall provide services to individuals with a range of severe disabilities. The center shall provide services on a cross-disability basis (for individuals with all different types of severe disabilities, including individuals with severe disabilities who are members of populations that are unserved or underserved by programs under this title). Eligibility for services at any center for independent living shall be determined by the center, and shall not be based on the presence of any one or more specific severe disabilities.

(3) Independent Living Goals.- The center shall facilitate the development and achievement of independent living goals selected by individuals with severe disabilities who seek such assistance by the center.

(4) Community Options.- The center shall work to increase the availability and improve the quality of community options for independent living in order to facilitate the development and achievement of independent living goals by individuals with severe disabilities.

(5) Independent Living Core Services.- The center shall provide independent living core

services and, as appropriate, a combination of any other independent living services specified in section 7(30)(B).

(6) Activities to Increase Community Capacity.- The center shall conduct activities to increase the capacity of communities within the service area of the center to meet the needs of individuals with severe disabilities.

(7) Resource Development Activities.- The center shall conduct resource development activities to obtain funding from sources other than this chapter.

(c) Assurances.- The eligible agency shall provide at such time and in such manner as the Commissioner may require, such satisfactory assurances as the Commissioner may require, including satisfactory assurances that -

(1) the applicant is an eligible agency;

(2) the center will be designed and operated within local communities by individuals with disabilities, including an assurance that the center will have a Board that is the principal governing body of the center and a majority of which shall be composed of individuals with severe disabilities;

(3) the applicant will comply with the standards set forth in subsection (b);

(4) the applicant will establish clear priorities through annual and 3-year program and financial planning objectives for the center, including overall goals or a mission for the center, a work plan for achieving the goals or mission, specific objectives, service priorities, and types of services to be provided, and a description that shall demonstrate how the proposed activities of the applicant are consistent with the most recent 3-year State plan under section 704;

(5) the applicant will use sound organizational and personnel assignment practices, including taking affirmative action to employ and advance in employment qualified individuals with severe disabilities on the same terms and conditions required with respect to the employment of individuals with disabilities under section 503;

(6) the applicant will ensure that the majority of the staff and individuals in decision-making positions of the applicant are individuals with disabilities.

(7) the applicant will practice sound fiscal management, including making arrangements for an annual independent fiscal audit;

(8) the applicant will conduct annual self-evaluations, prepare an annual report, and maintain records adequate to measure performance with respect to the standards, containing information regarding, at a minimum -

(A) the extent to which the center is in compliance with the standards;

(B) the number and types of individuals with severe disabilities receiving services through the center;

(C) the types of services provided through the center and the number of individuals with severe disabilities receiving each type of service;

(D) the sources and amounts of funding for the operation of the center;

(E) the number of individuals with severe disabilities who are employed by, and the number who are in management and decision-making positions in, the center; and

(F) a comparison, when appropriate, of the activities of the center in prior years with the activities of the center in the most recent year;

(9) individuals with severe disabilities who are seeking or receiving services at the center will be notified by the center of the existence of, the availability of, and how to contact, the client assistance program;

(10) aggressive outreach regarding services provided through the center will be conducted in an effort to reach populations of individuals with severe disabilities that are unserved or underserved by programs under this title, especially minority groups and urban and rural populations;

(11) staff at centers for independent living will receive training on how to serve such unserved and underserved populations, including minority groups and urban and rural populations;

(12) the center will submit to the Statewide Independent Living Council a copy of its approved grant application and the annual report required under paragraph (8);

(13) the center will prepare and submit a report to the designated State unit or the Commissioner, as the case may be, at the end of each fiscal year that contains the information described in paragraph (8) and information regarding the extent to which the center is in compliance with the standards set forth in subsection (b); and

(14) an independent living plan described in section 704(e) will be developed unless the individual who would receive services under the plan signs a waiver stating that such a plan is unnecessary.

#### Definitions

Sec. 726. As used in this part, the term "eligible agency" means a consumer-controlled, community-based, cross-disability, nonresidential private nonprofit agency.

#### Authorization of Appropriations

Sec. 727. There are authorized to be appropriated to carry out this part such sums as may be necessary for each of the fiscal years 1993, 1994, 1995, 1996, and 1997.

#### Effective Date

(a) In General.- Except as provided in subsections (b) and (c), this title and the amendments made by this title shall take effect on the date of enactment of this Act.

(b) Centers for Independent Living.- The provisions of part C of chapter I of title VII of the Rehabilitation Act of 1973 (as added by section 701 of this Act), shall not apply with respect to fiscal year 1992 for programs receiving assistance under part B of such chapter, as in effect on the day before the date of enactment of this Act. The provisions of such part B shall continue to apply for such programs with respect to fiscal year 1992.

(c) State Plan.- The Secretary of Education shall implement the provisions of section 704 of the Rehabilitation Act of 1973 (as amended by section 701 of this Act), as soon as is practicable after the date of enactment of this Act, consistent with the effective and efficient administration of the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), but not later than October 1, 1993.

### Chapter 2 - Independent Living Services for Older Individuals Who are Blind

#### Definition

Sec. 751. For purposes of this chapter, the term "older individual who is blind" means an individual age 55 or older whose severe visual impairment makes competitive employment extremely difficult to attain but for whom independent living goals are feasible.

#### Program of Grants

Sec. 752. (a) In General.-

(1) Authority for Grants. Subject to subsections (b) and (c), the Commissioner may make grants to States for the purpose of providing the services described in subsection (d) to older individuals who are blind.

(2) Designated State Agency.- The Commissioner may not make a grant under subsection (a) unless the State involved agrees that the grant will be administered solely by the agency described in section 101(a)(1)(A)(i).

(b) Contingent Competitive Grants.- Beginning with fiscal year 1993, in the case of any fiscal year for which the amount appropriated under section 753 is less than \$13,000,000, grants made under subsection (a) shall be-

(1) discretionary grants made on a competitive basis to States; or

(2) grants made on a noncompetitive basis to pay for the continuation costs of activities for which a grant was awarded-

(A) under this chapter; or

(B) under part C, as in effect on the day before the date of enactment of the Rehabilitation Act Amendments of 1992.

(c) Contingent Formula Grants.-

(1) In General.- In the case of any fiscal year for which the amount appropriated under section 753 is equal to or greater than \$13,000,000, grants under subsection (a) shall be made only to States and shall be made only from allotments under paragraph (2).

(2) Allotments.- For grants under subsection (a) for a fiscal year described in paragraph (1), the Commissioner shall make an allotment to each State in an amount determined in accordance with subsection (j), and shall make a grant to the State of the allotment made for the State if the State submits to the Commissioner an application in accordance with subsection (i).

(d) Services Generally.- The Commissioner may not make a grant under subsection (a) unless the State involved agrees that the grant will be expended only for purposes of -

(1) providing independent living services to older individuals who are blind;

(2) conducting activities that will improve or expand services for such individuals; and

(3) conducting activities to help improve public understanding of the problems of such individuals.

(e) Independent Living Services.- Independent living services for purposes of subsection (d) (1) include -

(1) services to help correct blindness, such as -

(A) outreach services;

(B) visual screening;

(C) surgical or therapeutic treatment to prevent, correct, or modify disabling eye conditions;

and

(D) hospitalization related to such services;

(2) the provision of eyeglasses and other visual aids;

(3) the provision of services and equipment to assist an older individual who is blind to become more mobile and more self-sufficient;

(4) mobility training, Braille instruction, and other services and equipment to help an older individual who is blind adjust to blindness;

(5) guide services, reader services, and transportation;

(6) any other appropriate service designed to assist an older individual who is blind in coping with daily living activities, including supportive services or rehabilitation teaching services;

(7) independent living skills training, information and referral services, peer counseling, and individual advocacy training; and

(8) other independent living services, as defined in section 7(30).

(f) Matching Funds.-

(1) In General.- The Commissioner may not make a grant under subsection (a) unless the State involved agrees, with respect to the costs of the program to be carried out by the State pursuant to such subsection, to make available (directly or through donations from public or private entities) non-Federal contributions toward such costs in an amount that is not less than \$1 for each \$9 of Federal funds provided in the grant.

(2) Determination of Amount Contributed.- Non-Federal contributions required in paragraph

(1) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such non-Federal contributions.

(g) Certain Expenditures of Grants.- A State may expend a grant under subsection (a) to carry out the purposes specified in subsection (d) through grants to public and nonprofit private agencies or organizations.

(h) Requirement Regarding State Plan.- The Commissioner may not make a grant under subsection (a) unless the State involved agrees that, in carrying out subsection (d)(1), the State will seek to incorporate into the State plan under section 704 any new methods and approaches relating to independent living services for older individuals who are blind.

(i) Application for Grant.-

(1) In General.- The Commissioner may not make a grant under subsection (a) unless an application for the grant is submitted to the Commissioner and the application is in such form, is made in such manner, and contains such agreements, assurances, and information as the Commissioner determines to be necessary to carry out this section (including agreements, assurances and information with respect to any grants under subsection (j)(4)).

(2) Contents.- An application for a grant under this section shall contain -

(A) an assurance that the designated State unit described in subsection (a) (2) will prepare and submit to the Commissioner a report, at the end of each fiscal year, with respect to each project or program the designated State unit operates or administers under this section, whether directly or through a grant or contract, which report shall contain, at a minimum, information on

-  
(i) the number and types of older individuals who are blind and are receiving services;

(ii) the types of services provided and the number of older individuals who are blind and are receiving each type of service;

(iii) the sources and amounts of funding for the operation of each project or program;

(iv) the amounts and percentages of resources committed to each type of service provided;

(v) data on actions taken to employ, and advance in employment, qualified individuals with severe disabilities, including older individuals who are blind; and

(vi) a comparison, if appropriate, of prior year activities with the activities of the most recent year;

(B) an assurance that the designated State unit will -

(i) provide services that contribute to the maintenance of, or the increased independence of, older individuals who are blind; and (ii) engage in -

(I) capacity-building activities, including collaboration with other agencies and organizations;

(II) activities to promote community awareness, involvement, and assistance; and

(III) outreach efforts; and

(C) an assurance that the application is consistent with the State plan for providing independent living services required by section 704.

(j) Amount of Formula Grant.-

(1) In General.- Subject to the availability of appropriations, the amount of an allotment under subsection (a) for a State for a fiscal year shall be the greater of -

(A) the amount determined under paragraph (2); or

(B) the amount determined under paragraph (3).

(2) Minimum Allotment.-

(A) States.- In the case of the several States, the District of Columbia, and the Commonwealth of Puerto Rico, the amount referred to in subparagraph (A) of paragraph (1) for the fiscal year is the greater of -

(i) \$225,000; or

(ii) an amount equal to one-third of one percent of the amount appropriated under section 753 for the fiscal year and available for allotments under subsection (a).

(B) Certain Territories.- In the case of Guam, American Samoa, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau, the amount referred to in subparagraph (A) of paragraph (1) for a fiscal year is \$40,000, except that the Republic of Palau may receive such allotment under this section only until the Compact of Free Association with Palau takes effect.

(3) Formula.- The amount referred to in subparagraph (B) of paragraph (1) for a State for a fiscal year is the product of -

(A) the amount appropriated under section 753 and available for allotments under subsection

(a); and

(B) a percentage equal to the quotient of -

(i) an amount equal to the number of individuals residing in the State who are not less than 55 years of age; divided by

(ii) an amount equal to the number of individuals residing in the United States who are not less than 55 years of age.

(4) Disposition of Certain Amounts.-

(A) Grants.- From the amounts specified in subparagraph (B), the Commissioner may make grants to States whose population of older individuals who are blind has a substantial need for the services specified in subsection (d) relative to the population in other States of older individuals who are blind.

(B) Amounts.- The amounts referred to in subparagraph (A) are any amounts that are not paid to States under subsection (a) as a result of -

(i) the failure of any State to submit an application under subsection (i);

(ii) the failure of any State to prepare within a reasonable period of time such application in compliance with such subsection; or

(iii) any State informing the Commissioner that the State does not intend to expend the full amount of the allotment made for the State under subsection (a).

(C) Conditions.- The Commissioner may not make a grant under subparagraph (A) unless the State involved agrees that the grant is subject to the same conditions as grants made under subsection (a).

#### Authorization of Appropriations

Sec. 753. There are authorized to be appropriated to carry out this chapter such sums as may be necessary for each of the fiscal years 1993 through 1997.



THE SILC DIFFERENCE:  
 "YES, YOU CAN!"

EVALUATION

January 22-23, 1997

1. Describe your basic understanding of these topics BEFORE and AFTER this conference by circling the appropriate numbers below (7 being "high, detailed knowledge" and 1 being "none").

| BEFORE |   |   |      |   |   |   | AFTER   |   |   |   |   |   |   |   |
|--------|---|---|------|---|---|---|---|---|---|---|---|---|---|---|
| high   |   |   | none |   |   |   | high  |   |   | none  |   |   |   |   |
| 7      | 1 | 2 | 3    | 4 | 5 | 6 | 7   | <input type="checkbox"/> History and philosophy | 1 | 2   | 3 | 4 | 5 | 6 |
| 5      | 6 | 7 | 1    | 2 | 3 | 4 | 5   | 6   | 7 | <input type="checkbox"/> Review of the rehabilitation act | 1 | 2 | 3 | 4 |
|        |   |   |      |   |   |   | <input type="checkbox"/> Statewide independent living council |   |   |   |   |   |   |   |
| 5      | 6 | 7 | 1    | 2 | 3 | 4 | 5   | 6   | 7 | a) appointments and composition                           | 1 | 2 | 3 | 4 |
| 5      | 6 | 7 | 1    | 2 | 3 | 4 | 5   | 6   | 7 | b) roles and responsibilities                             | 1 | 2 | 3 | 4 |
| 1      | 2 | 3 | 4    | 5 | 6 | 7 | c) duties   | 1   | 2 | 3   | 4 | 5 | 6 | 7 |
| 7      | 1 | 2 | 3    | 4 | 5 | 6 | 7   | d) funding options                              | 1 | 2   | 3 | 4 | 5 | 6 |
| 5      | 6 | 7 | 1    | 2 | 3 | 4 | 5   | 6   | 7 | e) innovative uses of funds                               | 1 | 2 | 3 | 4 |
| 1      | 2 | 3 | 4    | 5 | 6 | 7 | <input type="checkbox"/> CIL requirements                     | 1   | 2 | 3   | 4 | 5 | 6 | 7 |

2. What did you like best about the training?

3. What would you like to see improved?

4. What (if any) ideas did you gain today that you will use?

Name/phone (optional):

UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF SPECIAL EDUCATION AND  
REHABILITATIVE SERVICES  
REHABILITATION SERVICES ADMINISTRATION  
WASHINGTON, DC 20202-2741

POLICY DIRECTIVE  
RSA-PD-95-07  
RSM-0501  
DATE: 8/29/95

ADDRESSEES: STATE VOCATIONAL REHABILITATION AGENCIES  
(GENERAL) STATE VOCATIONAL REHABILITATION AGENCIES  
(BLIND)  
STATEWIDE INDEPENDENT LIVING COUNCILS  
CENTERS FOR INDEPENDENT LIVING  
CLIENT ASSISTANCE PROGRAMS  
RSA SENIOR MANAGEMENT TEAM

SUBJECT: Section 704 Annual Performance Report

POLICY

STATEMENT: This transmits the Section (□) 704 Annual Performance Report consisting of two parts and instructions for the completion and submittal of the Reports for the State Independent Living Services (SILS), and Centers for Independent Living (CIL) programs. OMB approval number for this plan is 1820-0606.

The purpose of this report is to:

- o Serve as a performance measuring instrument of independent living (IL) programs, both quantitatively and qualitatively;
- o Determine the training and technical Assistance needs of Statewide Independent Living Councils (SILCs) and Centers for Independent Living (CILs) as required by section 721(b)(3) of the Act;
- o Determine CIL compliance with the standards, assurances, and indicators of compliance with the standards in section 725 of the Act and 34 CFR Part 366;
- o Collect information necessary for issuance of continuation awards for qualified CILs funded under the CIL program;
- o Collect the data required by sections 13, 706, 721, and 725 of the

State  
Centers for  
Rehabilitation Act of 1973, as amended (Act) for the  
Independent Living Services (SILS) program and the  
Independent Living (CIL) programs;

o Serve as the basis for on-site  
reviews of the Chapter 1, Title VII of the  
Act program grantees; and

o Obtain a report from Statewide  
Independent Living Councils and  
Designated State Units regarding their activities in the  
State plan for  
independent living development, administration,  
monitoring, and  
evaluation, including an assessment of consumer  
satisfaction with the  
IL programs in the States.

CITATIONS

IN LAW: Title VII of the Rehabilitation Act of 1973, as  
amended, Sections 13,  
704(m) (4) (D), 705(c) (5), 706(d), 722, 723, 725(c) (8), and  
725(c) (13)

CITATIONS IN

REGULATIONS: 34 CFR Parts 364, 365, and 366

EFFECTIVE

DATE: Upon Issuance

EXPIRATION

DATE: August 31, 1998

INQUIRIES: RSA Regional Commissioners

Schroeder (signed)

Commissioner

Rehabilitation Services

Administration

Fred

SECTION 704 ANNUAL PERFORMANCE REPORT

INDEPENDENT LIVING PROGRAMS

Chapter 1, Title VII

PART I

7/18/95

Rehabilitation Act of 1973, as amended

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OMB NUMBER: 1820-0606

EXPIRATION DATE: 8/31/97

UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF SPECIAL EDUCATION  
AND REHABILITATIVE SERVICES  
REHABILITATION SERVICES ADMINISTRATION  
WASHINGTON, D.C. 20202-2741

INSTRUCTIONS FOR COMPLETION AND SUBMITTAL OF  
THE SECTION 704 PART I ANNUAL PERFORMANCE REPORT (Part I)

PURPOSE OF THE □704 REPORT

The purpose of this report is to:

(a) Serve as a performance measuring instrument of independent living (IL) programs, both quantitatively and qualitatively;

(b) Determine the training and technical Assistance needs of Statewide Independent Living Councils (SILCs) and Centers for Independent Living (CILs) as required by section 721(b)(3) of the Act;

(c) Determine CIL compliance with the standards, assurances, and indicators of compliance with the standards in section 725 of the Act and 34 CFR Part 366;

(d) Collect information necessary for issuance of continuation awards for qualified CILs funded under the CIL program;

(e) Collect the data required by sections 13, 706, 721, and 725 of the Rehabilitation Act of 1973, as amended (Act) for the State Independent Living Services (SILS) program and the Centers for Independent Living (CIL) program;

(f) Serve as the basis for on-site reviews of the Chapter 1, Title VII of the Act program grantees; and

(g) Obtain a report on SILC and DSU activities.

The report is structured to:

(a) Establish a uniform, performance based, program specific, reporting system to compile an accurate national report on independent living; and

(b) Enable each State to have information on all funds expended for IL in the State, for what the funds paid, who was served, with what services, and for RSA to be able to compare State and CIL performance with other States and other CILs.

(Authority: §§13, 704(m)(4)(D), 705(c)(5), 706(d), 722, 723, 725(c)(8), 725(c)(13) of the Act; 34 CFR Parts 364, 365, 366)

Each State receiving funds under part B or part C of Chapter 1 of Title VII of the Act must complete the Part I report. A list of RSA regional and central office contacts, addresses, telephone numbers, and electronic contact user IDs, is included at the end of these instructions.

GLOSSARY OF TERMS

Act           The Rehabilitation Act of 1973, as amended

CIL           A "Center for Independent Living" meeting the definition in §702 of the Act, and the standards in §725 of the Act.

CIL program   The "Centers for Independent Living program" funded under part C, Chapter 1 (Ch. 1) of Title VII of the Act (part C).

Consumer   Any individual with a significant disability who is eligible for IL services under 34 CFR 364.40(a) and is currently receiving or has been provided with any IL services under the program other than information and referral.

Core Services   IL services defined in §7(29) of the Act-- information and referral, IL skills training, peer counseling (including cross-disability peer counseling), and individual and systems advocacy.

CSR           A "Consumer Service Record" maintained for an eligible consumer receiving IL services and meeting the requirements of 34 CFR 364.53. Where IL services are provided to the parent or guardian of a consumer, the CSR is established for the consumer and the services provided are reflected in that CSR.

DSU           The "Designated State Unit, or Units" identified under §101(a)(1) of the Act, to jointly with the Statewide Independent Living Council, develop and sign the State plan for Ch. 1 of Title VII under §704 of the Act. The term includes a State agency solely designated under State law to provide IL services to individuals who are blind. In such State, the State agency for the Blind may administer the provisions in the attachments to the State plan providing for services to individuals who are blind. In a "723 State", the DSU administering the CIL program is always the general agency.

Earmarked   Funds appropriated by the State and expressly or clearly identified as State Funds expenditures in the relevant fiscal year for the sole purpose of funding the general operation of CILs meeting the requirements of §§702 and 725 of the Act. It does not include Federal funds, State purchase of service funds, State attendant care funds, or

Social Security Administration reimbursement funds.

722 State A State where RSA issues grants under part C directly to eligible agencies (CILs).

723 State A State where the DSU issues grants or assistance contracts under part C to eligible entities for the planning, establishment, and operation of CILs.

IL "Independent Living"

ILP An "Independent Living Plan" for the provision of IL services mutually agreed upon by an appropriate staff member of a service provider and an individual with significant disabilities.

Minority Means Alaskan Natives, American Indians, Asian Americans, Blacks (African Americans), Hispanic Americans, Native Hawaiians, and Pacific Islanders.

Reporting The most recent Federal fiscal project year completed - October 1 to September 30.  
Year

RSA The "Rehabilitation Services Administration" in the Department of Education, Office of Special Education and Rehabilitative Services.

Service Provider--

(i) A DSU which directly provides IL services to consumers; or

(ii) A CIL; or

(iii) An entity which:

(A) provides IL services under a grant or contract; and

(B) is delegated responsibility for the determination of eligibility for IL services.

SILC The "Statewide Independent Living Council" established in each State as required by 704 and 705 of the Act.

SILS The "State Independent Living Services program" funded under part B, Ch. 1 of Title VII of the Act.

SPIL The "State Plan for Independent Living," which governs the State IL Services and

Centers for Independent Living programs and describes the services to be provided under the IL Services for Older Individuals who are Blind program.

STATE       Wherever the term "State" is used, it refers to the State in its sovereign sense. For purposes of Title VII, the DSU(s) and the SILC jointly represent the State, except where otherwise noted.

## CONTENT OF THE REPORT

The annual □704 report consists of two parts. Part I contains the reports of the SILC's and DSU's activities for the reporting year. It also contains data from consumer service records where those records are maintained outside of a CIL reporting in Part II. Part II contains a CIL's self-evaluation of compliance with the requirements of Section 725 of the Act, a comparison of the CIL's activities during the reporting year with its work plan for that year, and data from consumer service records maintained by the CIL. It also contains the CIL's work plan and any necessary budget amendments for the next fiscal year.

Part I contains:

(a) Subpart IA - Administrative Data: Subpart IAI provides information on resources, including part B, Chapter 1 of Title VII of the Act (part B), other Federal funds, State, and other funds, received by the DSU during the reporting year;

(b) Subpart IAIM - Allocation of part B funds: This subpart provides information on the amounts of part B funds obligated during the reporting year for the allowable purposes defined in the State plan for independent living (SPIL) approved for the reporting year;

(c) Subpart III - Provision of Services: Requires that the State provide the information in Subparts IB and IC for IL service providers other than CILs reporting in Part II;

(d) Subpart IB - Demographics on Individuals with Significant Disabilities Receiving Services: Provides information from CSRs controlled by the State (i.e., not maintained in a CIL required to report in Part II) on the numbers and types of individuals with significant disabilities receiving IL services either directly from the DSU or through grants, contracts, or other agreements with the State;

(e) Subpart IC - Types and Amounts of Services Provided: A report of community (Subpart ICI) and individual (Subpart ICII) IL services provided either directly by the DSU or through State grants or contracts. Information on individual services is reported only from CSRs controlled by the State (i.e., not maintained in a CIL required to report in Part II);

(f) Subpart ID - Report of the SILC's activities (includes the SILC survey of its technical

assistance and training needs for the next fiscal year;

(g) Subpart IE - DSU Activities: A report on activities of the DSU(s);  
and

(h) Subpart IF - Narrative and Comparison with Prior Year Activities:  
This subpart provides  
additional information, jointly developed by both the DSU and the SILC,  
of significant  
activities not reported in other subparts, program accomplishments, goal  
achievements,  
difficulties encountered, and comparison with prior years.

WHO MUST COMPLETE PART I?

(a) Each DSU and SILC will jointly complete Part I.

In a State with a separate agency serving individuals who are  
blind, the production of §704  
Part I must be coordinated among the DSUs and the SILC. Only a single  
Part I report,  
with data aggregated from the State's reporting entities will be  
accepted by RSA.

(c) Subparts IB and ICII. These subparts report information from CSRs.  
The DSU reports  
in Part I only information in CSRs maintained by a service provider  
other than a CIL  
reporting in Part II.

WHO MUST COMPLETE THE REPORT AND WHERE MUST IT BE SUBMITTED?

(a) Section 722 State.

(1) The DSU(s) and the SILC will jointly submit Part I to RSA  
(RSA regional and  
central office).

(2) CILs funded solely with part B or State funds submit  
their Part II reports to the  
DSU and the SILC. The DSU will transmit the CIL reports to RSA  
with the Part I  
report.

(b) Section 723 State.

CILs will file their Part II reports with the DSU and the SILC.  
The State will aggregate the  
data and summarize other information in the Part II reports with the  
Part I report and attach  
the incoming reports from the CILs for reference, including the State's  
Technical Assistance  
and Training Needs Survey. The aggregate Part I report will be  
forwarded to RSA (one  
copy to the regional office, one copy to RSA central office).



WHEN MUST THE REPORT BE SUBMITTED TO RSA?

(a) §704 Part I. Part I is due to RSA 90 days after the end of the reporting year (December 29).

(b) §723 States. The Part I and Part II reports are due to RSA 90 days after the end of the reporting year (December 29) .

TRANSMITTING THE REPORT ELECTRONICALLY

RSA will transmit to all States and CILs computer software to enable States and CILs to file the §704 Reports by computer on the RSA Bulletin Board (RSA BBS). Please send original signature pages to the appropriate RSA regional office. To file:

RESERVED INSTRUCTIONS FOR ELECTRONIC FILING UNDER THE ELECTRONIC REPORTING SYSTEM UNDER DEVELOPMENT WILL BE TRANSMITTED TO YOU ALONG WITH THE REPORTING SOFTWARE.

RECORD RETENTION

The information provided in this report by Federal grantees is subject to confirmation at an on-site compliance review; therefore, financial records, statistical records, and all supporting documents and other records pertinent to the grant award, adequate to document the accuracy of the information and statements in the §704 Annual Performance Report, must be kept for five years.

(Authority: § 706(c), 723(g) of the Act; 34 CFR 74.53)

INSTRUCTIONS FOR COMPLETING THE §704 ANNUAL PERFORMANCE REPORT

SOURCES AND AMOUNTS OF RESOURCES

(Part I, Subpart IA)

(a) Section IAI - report the amounts of resources received by the State or CIL from each of the sources indicated during the reporting year.

(b) Section IAI - report on the amounts of funds obligated by the State during the reporting year; thus the amounts reported in Section IAI may differ from the amounts reported in Section IAI.

(c) Section IAIV - Grants, Contracts, or other Arrangements for part B funds.

(1) Name of grantee or contractor. All that is needed is an identifier sufficient to identify the contract or grant in the event of an on-site review or audit.

(2) Use for funds. Enter the identifier from Section IAI., e.g., II(d) would signify a grant to a CIL for the general operation of the CIL.

(d) Section IAV - Staffing

(1) "FTE" means one person working full-time for one year (Approximately 2080 hours). Part-time employees and employees who worked for any fraction of the year are counted as a fraction of an FTE to the nearest tenth. To compute FTE, determine the number of hours (excluding any overtime) for which employees were actually paid during the last six months of the reporting year. Multiply the hours worked x 2, ÷ by 2080 = FTE.

(2) Categories of positions are:

(i) Decisionmaking - e.g., executive director, supervisors, and any other policy position;

(ii) Staff - e.g., counselors, teachers, trainers, and other staff.

NUMBERS AND TYPES OF INDIVIDUALS WITH SIGNIFICANT DISABILITIES  
RECEIVING SERVICES  
(Subpart IB)

I - Active Consumer Service Records--This is a count of individuals who were determined eligible for any part of the reporting year, and for whom a CSR was initiated.

(a) Enter the number of active CSRs carried over from September 30 of the preceding year.

(b) Enter the number of new CSRs initiated during the year.

(c) Enter the total number of consumers served during the year.

II Inactive Consumers at Year End--Record consumer records that have been purged from the active CSR file because the individual has moved, stated that he or she had no further interest in the program, died, achieved all goals set, or for other reasons.

III Active Consumers and Year End--Indicate the total number of Consumers remaining active on September 30 of the reporting year (I(c) - II(f)).

For the remaining sections of this subpart, RSA intends that the demographic information include all consumers served during the year.

IV Time Consumers active--Enter the numbers of CSRs and the time since initiation.

V Consumer Achievements--Report the total numbers of goals set by consumers during the reporting year and the number of goals achieved by consumers during the reporting year.

Consumers may set and/or achieve more than one goal, and a goal may be set in one year and achieved in another. Please classify goals in the following categories:

(a) Self-care - Goals to improve/maintain an individual's autonomy with respect to activities of daily living such as personal grooming and cleaning, toileting, meal preparation, shopping, eating, etc.

(b) Communication - Goals involving either improvement in the consumer's ability to understand and acknowledge communication by others (receptive), or improvement in one's ability to produce verbal language, sign language and other communication (expressive).

(c) Mobility - Goals to improve an individual's access to his life space, environment or community. This increase in access may occur by improving the person's own ability to move or transport himself or herself, or by allowing the consumer to be moved or transported by another person.

(d) Residential - Goals that provide for change in living situations with increased autonomy for

the individual with significant disabilities.

(e) Educational - IL goals of an academic or training nature that are expected to improve the consumer's basic knowledge or increase his or her ability to perform certain skills.

(f) Vocational - IL goals related to obtaining, maintaining, or advancing in employment.

(g) Other - Other IL goals not included in the above categories.

VI Age--Enter number of consumers in each age category at the end of reporting year. For CSRs put in inactive status during the year, use consumers' ages to be reached during the reporting year.

VII Gender--Enter number of males and females served during the fiscal year.

VIII Race/ethnicity--Enter a count of individuals by race or ethnicity. Information should be solicited on a voluntary basis. If unavailable, a consumer should be included in the group to which he or she appears to belong. If you don't know, leave it blank. For persons who are of mixed racial origin, use the category which reflects the individual's choice. The racial categories are:

(a) White (non-Hispanic)--A person having origins in any of the original peoples of Europe, North Africa, or the Middle East.

(b) Black (non-Hispanic)--A person having origins in any of the black racial groups of Africa.

(c) American Indian or Alaskan Native (including Native Hawaiians)--A person having origins in any of the original peoples of North America or Hawaii, and who maintains cultural identification through tribal affiliation or community identification.

(d) Asian or Pacific Islander - A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This area includes, for example, China, India, Japan, Korea, the Philippine Islands, and Samoa.

(e) Hispanic - A person of Mexican, Puerto Rican, Cuban, Central or South American, or similar origin.

IX Disability--Enter a count of individuals with a significant cognitive, mental, physical,

sensory, or multiple disability, whose ability to function independently in the family or community or whose ability to obtain, maintain, or advance in employment is substantially limited.

X Living arrangements--Indicate the living arrangements of individuals at the end of the reporting year or when a consumer moved to inactive status.

(a) Institution--individuals living in nursing homes, etc; Note that residing in an institution does not render an individual ineligible for IL services so long as the individual has the ability to function, continue to function, or move towards functioning independently in the family or community (which could include the nursing home).

(b) Dependent: w/family or friends--individuals living with and dependent on family or friends;

(c) Assisted Living--includes halfway house, group home, etc;

(d) Independent--number of individuals who are independent, whether living alone or with family or friends; or

(d) Other.

XI Source of Personal Assistance Services Reimbursement--As this is a new service authorized in the 1992 Amendments and is a major IL service, data regarding the sources of funding for the service is needed for State and Federal planning and budget purposes. Please indicate the number of persons receiving PAS from the sources indicated. Where funds are administered by the service provider and "passed through" to the consumer, please report the amounts of these funds in the financial section of the report.

#### TYPES OF SERVICES PROVIDED AND NUMBERS OF INDIVIDUALS RECEIVING SERVICES (Subpart IC)

I - Community services--States must indicate by responding "Y" for Yes and "N" for No next to the community services provided by the State. States are encouraged but not required to report the number of hours of community service provided. If the State maintains records sufficient to report the number of hours and chooses to report the number of hours, in the appropriate columns, record

the total person hours of staff time expended on particular community service activities, e.g., hours spent working on an advertising campaign to raise community awareness of ADA. Please round to the nearest whole hour.

(a) Information and referral (I&R), as a community service entails the provision of I&R to groups of individuals and does not necessitate initiating a CSR, e.g., speaking at the Rotary Club luncheon about ADA. The chief difference between this service and the I&R under individual services listed later is this service is provided to groups rather than one individual at a time.

(b) Community and systems advocacy--efforts to implement local policy and legislation to make facilities, services and opportunities available/accessible to individuals with disabilities.

(c) Outreach--efforts to locate and serve individuals with significant disabilities in the community.

(d) Publications--accessibility guides, disability awareness brochures, ADA, how to advice, etc.

(e) Community education--activities and information programs to enhance the community's awareness of disabilities and disability issues, e.g., local TV, radio, or newspaper campaigns.

(f) Maintaining registries--includes activities related to creating and maintaining directories for personal assistants, recreation opportunities, accessible transportation, accessible housing, and other support services.

(g) Other--Activities that do not fit in any of the above.

II - Individual Services--List the number of consumers receiving each of the services offered during the reporting year. The numbers of individuals utilizing a service affords a measure of the benefits derived from that particular service made available by a service provider; it is not expected to equal the number of consumers, as a single individual may receive a number of different services. IL services include, but are not limited to the following:

(a) Advocacy/legal services - advocacy and legal assistance and/or representation in obtaining access to those benefits, services and programs to which an individual with significant disabilities may be entitled.

(b) Assistive devices/equipment - provision of specialized devices and equipment such as TDD's, wheelchairs and lifts, or provision of assistance to obtain these devices and equipment from other sources.

(c) Childrens services - IL services provided to a child under age six.

(d) Communication services - services directed to enable individuals with significant disabilities to better communicate such as: interpreter services, including tactile interpreter services for deaf-blind individuals; training in communication equipment use; Braille training; and reading services.

(e) Counseling services, including psychological, psychotherapeutic, and related services.

(f) Family services - services provided to the family members of an individual with significant disabilities when necessary for improving the individual's ability to live and function more independently, or his or her ability to engage or continue in employment. Such services may include respite care. (Record the service in the consumer's CSR on behalf of whom services were provided to the family.)

(g) Housing or shelter services, including services related to securing housing or shelter, adaptive housing services (including appropriate accommodations to and modifications of any space used to serve, or occupied by, individuals with significant disabilities). A CIL shall not provide housing or shelter as an IL service on either a temporary or long-term basis unless the housing or shelter is incidental to the overall operation of the CIL and is provided to any one individual for a period not to exceed eight weeks during any six-month period.

(h) Independent Living Skills Training and Life Skills Services and Training - IL skills training is instruction to develop independent living skills in areas such as personal care, coping skills, financial management, social skills, and household management, including education and training necessary for living in the community and participating in community activities. Life skills training and services are independent living skills training and interpreter, and reader services for individuals with cognitive and sensory disabilities.

(i) Information and referral services - individual I&R provided to a consumer and recorded in

his or her CSR. (It is not necessary to record I&R in a CSR nor establish a CSR for an individual receiving only I&R services). The greater number of individuals receiving I&R services are when individuals receive single face-to-face contact or one or two telephone calls that may result in providing information verbally, disseminating printed material and/or referral to another source for services or further information. It may include a minor one-time service of such a nature that establishment of a CSR is not justified. Some service providers record I&R as strokes on an answering pad--others as phone minutes; some CILs create a CSR or other files for future contact and outreach.

(j) Mental Restoration - psychiatric restoration services including maintenance on psychotropic medication, psychological services, and treatment management for substance abuse.

(k) Mobility training - variety of services involved in assisting individuals with cognitive and sensory impairments to get around their homes and communities.

(l) Peer Counseling - counseling, teaching, information giving, and similar kinds of contact provided by other individuals with disabilities.

(m) Personal assistance services, including attendant care and the training of personnel providing such services.

(n) Physical restoration - restoration services including medical services; therapeutic treatments, such as physical therapy, occupational therapy, speech, language and hearing therapy; health maintenance; eyeglasses and visual services; and prosthetic, orthotic and other assistive appliances and devices.

(o) Preventative services - services intended to prevent additional disabilities, or to prevent an increase in the severity of an existing disability.

(p) Prostheses and other appliances (See also Rehab technology)

(q) Recreational services - provision or identification of opportunities for the involvement of individuals with significant disabilities in meaningful leisure-time activities; participation in community affairs and/or other recreation activities that may be competitive, active or quiet.

(r) Rehabilitation technology - provision of, or assistance to obtain through other sources,

adaptive modifications which address the barriers confronted by individuals with significant disabilities with respect to education, rehabilitation, employment, transportation, independent living and/or recreation.

(s) Therapeutic treatment - services provided by registered occupational, physical, recreational, or speech therapists.

(t) Transportation - provision of, or arrangements for provision of transportation.

(u) Youth Services - services provided to youth with significant disabilities (ages 6 - 17); training to develop skills specifically designed for youths to promote self-awareness and esteem, develop advocacy and personal power skills, and explore career options.

(v) Vocational services - any of the services defined in §103 of the Act.

(w) Other - any IL service not listed above.

#### ATTACHMENTS

In preparing the various attachments, please insure that the State's name and report year appear at the top of each page.

#### Attachment I - A - Grants and contracts

In grants or contracts for the provision of IL services, the attachment identifies where eligibility is determined and where the CSR is maintained; for other grants or contracts, the attachment describes the objectives, activities, and results achieved. Address exemplary or innovative practices that are considered useful or worthy of replication in Subpart IF.

#### ATTACHMENT I - D(a) - SILC activities

This attachment contains a summary of activities of the SILC, a report on solutions to problems encountered; a report on the development and implementation of the design for the CIL network; and a report on evaluation and monitoring activities conducted by or participated in by the SILC. Address exemplary activities or major problems encountered in Subpart IF.

#### ATTACHMENT I - D(b) - Training and technical assistance needs

This attachment describes the SILC's training and technical assistance (TA) needs for the

next fiscal year. It may also contain TA and training needs for CILs in the State, identified by the SILC in its evaluation and monitoring activities. Please be specific rather than general and, where appropriate, put needs in priority order.

ATTACHMENT I - E - DSU activities

This attachment contains a summary of DSU activities, results of DSU evaluations, joint evaluation activities with the SILC, monitoring activities, and, in 723 States, the results of periodic and on-site reviews of CILs in the State.

ATTACHMENT I - F - DSU and SILC Narrative

This attachment contains a narrative with additional information, significant activities, exemplary practices, program accomplishments, goal achievements, difficulties experienced and how they were resolved, and how these compare with the immediately preceding year. Please do not report information in this subpart that is included in another attachment.

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RSA BBS USER-ID: RSARCI  
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-- Maine  
-- New Hampshire  
-- Rhode Island  
-- Vermont  
-- Massachusetts

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REGION IV

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-- Puerto Rico  
-- Virgin Island  
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-- N. Carolina  
-- S. Carolina  
-- Tennessee  
-- Georgia  
-- Mississippi

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-- Indiana  
-- Michigan  
-- Minnesota  
-- Ohio

-- Missouri  
-- Illinois

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-- Arkansas  
-- Louisiana  
-- New Mexico  
-- Oklahoma  
-- Texas

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-- Kansas  
-- Nebraska  
-- Wisconsin

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-- N. Dakota  
-- S. Dakota  
-- Utah  
-- Wyoming  
-- Colorado

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EDST: 9:30 - 6:00

REGION X

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-- Arizona  
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-- Nevada  
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-- California  
-- CNMI  
-- Palau

EDST: 11:00 - 7:30  
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UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

REHABILITATION SERVICES ADMINISTRATION

Washington, D.C. 20202-2741

FISCAL YEAR 19

ANNUAL PERFORMANCE REPORT

FOR

STATE INDEPENDENT LIVING SERVICES PROGRAM

CENTERS FOR INDEPENDENT LIVING PROGRAM

PART I

STATE

CHAPTER 1, TITLE VII OF THE REHABILITATION ACT, AS AMENDED

SUBPART IA - ADMINISTRATIVE DATA

(□704(m) (4) (D) of the Act; 34 CFR Parts 74 and 75)

I - Resources

(a) Federal Funds

- (1) Ch. 1, part B, Title VII \$
- (2) Ch. 1, part C, Title VII (□723 States) \$
- (3) Ch. 2, Title VII \$
- (4) Other Federal Funds \$

(b) Other Government Funds

- (5) State government funds \$
- (6) Local government funds \$

(c) Private Resources

- (7) Foundation, corporation or trust grants \$
- (8) Donations from individuals \$
- (9) Memberships \$
- (10) Investment income, endowment \$
- (11) Fees for service (program income) \$
- (12) Other resources (in-kind items, etc.) \$  
(estimated fair market value)

(d) Total resources (Sum of lines 1--12) \$

(e) Amount of total resources that "pass through" to consumers, e.g., personal assistant service funds \$

(f) Net operating resources (line (d) minus line (e)) \$

- Allocation of Funds Part B, Ch. 1 Funds (from SPIL developed under □704, 713 of the Act; 34 CFR 365.20)

II

Purpose

\$  
Direct  
By DSU  
Grant or  
contract

(a) Fund the resource plan for the SILC

\$  
Y N  
Y N

(b) Provide IL services directly

or through grant or contract

\$

Y N  
Y N

(c) Demonstrate ways to expand  
and improve IL services

\$

Y N  
Y N

(d) Support the general operation  
of CILs

\$

N/A  
Y N

(e) Support activities to  
increase capacity to develop  
approaches or systems for  
providing IL services

\$

Y N  
Y N

(f) Conduct studies and analyses,  
gather information, develop  
model policies, and present  
information in order to  
enhance IL Services.

\$

Y N  
Y N

(g) Train regarding IL philosophy

\$

Y N  
Y N

(h) Provide outreach to unserved  
or underserved populations,  
including minority groups and  
urban and rural populations.

\$

Y N  
Y N

III - Provision of Services (□704(e) of the Act; 34 CFR 365.20.21)

(a) If the DSU provides community IL services using part B funds, directly or through grant or contract to a service provider other than a CIL reporting in □704 Part II, complete Subpart IC(I) of this part.

(b) If the DSU directly provides IL services to individuals with significant disabilities; directly determines eligibility for such individuals; and the CSRs for those individuals are maintained outside a CIL reporting in □704 Part II, enter information on such individuals in Subpart IB of this part and complete Subpart IC(II) of this part.

IV - Grants, Contracts or other Arrangements for Use of Part B Funds (□□704(f), 713 of the Act; 34 CFR 365.23)

(a) Grantee/Contractor  
Use of  
Funds  
(from tbl  
IA-II)  
Part B  
Ch. 1  
\$  
Other  
Federal  
\$  
Nonfed  
Sources  
\$

(1)

\$  
\$  
\$

(2)

\$  
\$  
\$

(3)

\$  
\$  
\$

(4)

\$  
\$  
\$

(5)

\$  
\$  
\$

Total Amount of Grants/Contracts

\$  
\$  
\$

Attachment I - A (34 CFR 364.43(e)) (If all grants/contracts for services are for the general operation of CILs, skip this section)

(a) If the purpose of any grant or contract is to provide IL services to individuals:

(1) Who determines eligibility for these individuals?

(2) Where is the CSR for each individual maintained?

(b) For grants or contracts for purposes other than services, please provide a brief narrative description of the objectives to be achieved by each agreement, what activities were conducted during the year; and what results were achieved.

V - Staffing (21, 701, 704(m) (2) of the Act; 34 CFR 364.35, 34 CFR 364.36)

Report the total number of FTE employed in the SILS and CIL programs by the DSU(s) and by service providers other than CILs reporting in Part II. Report the total decisionmaking and other staff, the number of FTE filled by individuals with disabilities, and the number of minority FTE who are employed.

| SILS/CIL program | Total<br>FTE | Persons<br>with<br>Disabilities | Number<br>who are<br>Minority |
|------------------|--------------|---------------------------------|-------------------------------|
|------------------|--------------|---------------------------------|-------------------------------|

(a) Decisionmaking staff

(b) Other staff

SUBPART IB: NUMBERS AND TYPES OF INDIVIDUALS WITH SIGNIFICANT  
DISABILITIES RECEIVING SERVICES EITHER DIRECTLY  
FROM THE DSU OR THROUGH GRANTS OR CONTRACTS.

(13, 704(m) (4) (B), (D) of the Act; 34 CFR 364.53)

I - Consumers Served during Year

- (a) CSRs carried from previous FY
- (b) CSRs started since Oct. 1 of report year
- (c) Total consumers served

II - Consumers Inactive @ Sept. 30

- (a) Moved
- (b) Withdrew
- (c) Died
- (d) Inactive because goals met
- (e) Other

(f) Total inactive

III- Consumers (CSRs) Active @ Sept. 30

(II(c) minus II(f))

IV - Time Consumer (CSR) active

- (a) Less than 12 months
- (b) 12 months - 2 years
- (c) 2 years - 5 years
- (d) Over 5 years
- (e) Total

V - Consumer Achievements

(725(c) (14) of the Act; 34 CFR 364.43)

(a) Number of individuals to whom an offer was made to develop an ILP but who waived the offer

(b) Number of individuals with whom an ILP was developed during the year.

Consumer Goals and Objectives Established and Achieved

Objectives/Goals  
Total  
Goals  
set  
Total  
Goals  
met

(a) Self-care

(b) Communication

(c) Mobility

(d) Residential

(e) Educational

(f) Vocational

(g) Other

VI - Age

- (a) Under 6
- (b) 6 - 17
- (c) 18 - 22
- (d) 23 - 54
- (e) 55 & over

VII - Gender

- (a) Female
- (b) Male

VIII - Race/ethnicity

- (a) White (non-Hispanic)
- (b) Black (non-Hispanic)
- (c) American Indian or Alaskan Native  
(includes Native Hawaiian)
- (d) Asian or Pacific Islander
- (e) Hispanic

IX - Disability

- (a) Cognitive
- (b) Mental
- (c) Physical
- (d) Sensory
- (e) Multiple disability

X - Living Arrangements

CSR @ Sept. 30

- (a) Institution
- (b) Dependent w/family or friends
  - (c) Assisted living
- (d) Independent
- (e) Other

XI - Source of Personal Assistance  
Services Reimbursement

CSR @ Sept. 30

- (a) Part B, Ch. 1, Title VII
- (b) Part C, Ch. 1, Title VII
- (c) Medicaid Waiver Program
- (d) Medicaid
- (e) Title XX
- (f) Other
- (g) None Available

SUBPART IC: TYPES OF SERVICES PROVIDED AND THE NUMBER OF  
INDIVIDUALS WITH SIGNIFICANT DISABILITIES  
RECEIVING EACH TYPE OF SERVICE  
(§704(m) (4) (D), 725(c) (8) (C) of the Act;  
34 CFR 364.43, 366.50(i) (3))

(Reporting the number of hours of Community Services performed is optional.)

I - Community services  
Conducted

Total Hours

(Y/N)

- (a) Information and referral
- (b) Community and systems advocacy
- (c) Outreach
- (d) Publications
- (e) Community education
- (f) Maintaining registries
- (g) Other
- (h) Total (a - g)

II - Individual services

No. of Persons Served

- (a) Advocacy/legal services
- (b) Assistive devices/equipment
- (c) Children's services
- (d) Communication services
- (e) Counseling and related services
- (f) Family services
- (g) Housing and shelter services
- (h) Information and Referral
- (i) Independent living skills training and life skills training and services
- (j) Mental restoration
- (k) Mobility training
- (l) Peer counseling (including cross-disability peer counseling)
- (m) Personal assistance services, including attendant care and the training of personnel providing such services
- (n) Physical rehabilitation
- (o) Preventative services
- (p) Prostheses and other appliances
- (q) Recreational services
- (r) Rehabilitation technology
- (s) Therapeutic treatment
- (t) Transportation services
- (v) Youth services
- (w) Vocational services
- (x) Other

SUBPART ID: STATEWIDE INDEPENDENT LIVING COUNCIL (SILC) REPORT  
 (□705(c)(5) of the Act; 34 CFR 364.21(g))

ATTACHMENT I - D(a) - In the attachment please address the following, as appropriate:

I General Activities Please provide a summary of activities the SILC has been involved in during the reporting year such as:

- o Problems encountered and how they were addressed;
- o Relations with the DSU(s), activities, problems, solutions;
- o Allocation of resources and development of the State plan;
- o Other information that the SILC believes would be helpful or informative to RSA, the Congress, and other CILs and State agencies.

Please be brief and concise, but complete, in your response.

II Design for Network of Centers Coordinate with the DSU(s) and report on:

- o The development and implementation of the design for a statewide network of CILs, with particular emphasis on--
- Underserved and unserved areas.
- Priorities for establishment of new centers.
  - Estimated resources needed to accomplish each step of the design.

- o How the needs and resources were determined, the numbers of individuals with significant disabilities unserved or underserved, and other data supported by surveys available in the State.

### III Evaluation by SILC

(a) Provide a summary of--

- o The SILC's evaluation activities related to implementation of the State plan.
- o Findings and recommendations related to any problems encountered in implementation of the State plan.
- o Council participation in any on-site compliance reviews of CILs.
- o Involvement in development of corrective action plans addressing deficiencies of CILs, etc.

The summary should include positive evaluation findings as well as negative findings. Exemplary activities, particularly those the council considers worthy of replication, and incidences of substantial deviation from provisions in the State plan should be noted.

(b) Describe activities and results related to evaluation of the effectiveness of the State plan in meeting the objectives established in the plan, including evaluation of satisfaction by individuals with significant disabilities.

### ATTACHMENT I - D(b): TRAINING AND TECHNICAL ASSISTANCE NEEDS (Section 721(b) (3) of the Act; 34 CFR 366.13)

As the SILC reviews the performance of the entities and service providers involved in the implementation and administration of the State plan during the reporting year, and the needs of the SILC in carrying out its responsibilities in the next fiscal year, please identify and prioritize the SILC's training and technical assistance needs for the next fiscal year. In this attachment, the SILC may also identify training and technical assistance needs of CILs providing services in the State, resulting from the SILC's evaluation and monitoring activities.

(□721(b) (3) of the Act)

IV - Composition of the Council

(1) State the total number of persons on the Council.

(2) State number of Council members with disabilities

(3) State the number of persons on the Council who are ex-officio (non-voting) representatives from State agencies

(4) State the number of persons on the Council who represent or are employed by CILs

(5) State the number of voting members on the Council

(6) State number of Council members with disabilities not employed by a CIL or any State agency

(7) Number of different disability groups (physical, mental, cognitive, or sensory) represented by members of the Council

(7) Does the Council includes members from minority groups?  
Y N

(8) Does the council have a voting membership that is knowledgeable about CILs?  
Y N

(9) Do Council members provide statewide representation?  
Y N

(10) Is the Council Chairperson elected from among

the voting members of the Council by the  
voting members of the Council?

Y N

V - Placement of the SILC (Sec. 705(a) of the Act; 34 CFR  
364.21(a)

Following is a brief description of the status and placement of  
the SILC.

SUBPART IE: DSU(s) ACTIVITIES  
(□704(m) (4) (D) of the Act; 34 CFR 364.22, 364.38)

ATTACHMENT I - E - In the attachment please address the  
following, as appropriate:

I - Development of the SPIL and Provision of Administrative  
Support Services.

I - Evaluations Conducted by DSU(s).

(a) Summarize results of evaluation activities conducted by the  
DSU(s) during the reporting year, including positive and  
negative findings.

(b) Describe any evaluation activities jointly conducted with the  
SILC related to implementation of the Evaluation plan  
required by □704(n) of the Act.

II - Monitoring.

(a) A summary of monitoring activities conducted by the DSU(s),  
(including involvement or coordination with the SILC) with  
findings of strengths and weaknesses in the implementation of  
activities conducted under the SPIL.

(b) In □723 States only:

(1) Identify each CIL that was the subject of a on-site  
compliance review during the reporting year and provide  
information on the extent to which the CIL complied with the  
standards in □725. Where a particular CIL has exemplary and  
innovative practices that may be replicated by other CILs,  
RSA encourages the DSU to describe the practice.  
(□723(g) of the Act; 34 CFR 366.38)

(2) Provide a summary of periodic reviews, other than on-site  
reviews conducted of CILs compliance with the standards and  
assurances in □725.

(3) Provide a summary of any corrective action plans developed as  
a result of findings of noncompliance.  
(□723(f) of the Act; 34 CFR 366.38).

(4) Identify any CILs against which adverse action was initiated

pursuant to §723(h) of the Act.

SUBPART IF: NARRATIVE - COMPARISON WITH PRIOR YEARS  
(□704(m) (4) (D), 705(c) (5) of the Act; 34 CFR  
366.50 (i) (7))

ATTACHMENT 5 - In this attachment please provide:

(a) Additional information, comments, or explanations of the reporting year data compared to the previous year.

(b) Descriptions of significant activities not accounted for elsewhere in the report, e.g., brief summaries of innovative activities or practices, not reported in previous years, which could be replicated and used by other States and CILs.

(c) Descriptions of substantial problems or difficulties, types of resolution methods attempted, and which ones worked (Why?).

(d) A comparison of program accomplishments and goal achievements during this reporting year with the immediately preceding reporting year .

MAIL ONE COPY OF THIS REPORT TO YOUR RSA REGIONAL OFFICE, AND ONE COPY TO THE RSA CENTRAL OFFICE.

SIGNATURE OF STATE AGENCY OFFICIAL                      DATE

NAME AND TITLE OF STATE AGENCY OFFICIAL                      PHONE NUMBER

SIGNATURE OF STATE AGENCY OFFICIAL                      DATE

NAME AND TITLE OF STATE AGENCY OFFICIAL                      PHONE NUMBER

SIGNATURE OF SILC REPRESENTATIVE                      DATE

NAME OF SILC REPRESENTATIVE                      PHONE

SECTION 704 PERFORMANCE REPORT

INDEPENDENT LIVING PROGRAMS

Chapter 1, Title VII

Part II

7/7/95

Rehabilitation Act of 1973, as amended

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OMB Number: 1820-0606  
EXPIRATION DATE: 9/30/98

UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF SPECIAL EDUCATION  
AND REHABILITATIVE SERVICES  
REHABILITATION SERVICES ADMINISTRATION  
WASHINGTON, D.C. 20202-2741

INSTRUCTIONS FOR COMPLETION AND SUBMITTAL OF  
THE SECTION 704 ANNUAL PERFORMANCE REPORT

PURPOSE OF THE REPORT

The purpose of this report is to:

(a) Serve as a performance measuring instrument of independent living (IL) programs, both quantitatively and qualitatively;

(b) Determine the training and technical Assistance needs of Centers for Independent Living (CILs) as required by section (b) 721(b) (3) of the Rehabilitation Act of 1973, as amended (Act);

(c) Determine CIL compliance with the standards, assurances, and indicators of compliance with the standards in (b) 725 of the Act and 34 CFR Part 366;

(d) Collect information necessary for issuance of continuation awards for qualified CILs funded under the CIL program;

(e) Collect the data required by (b) 13, 706, 721, and 725 of the Act for the State Independent Living Services and the Centers for Independent Living (CIL) programs; and

(f) Serve as the basis for on-site reviews of the Chapter 1, Title VII of the Act program grantees.

The report is structured to:

(a) Establish a uniform reporting system to compile an accurate national report on independent living;

(b) Provide a performance based, program specific, report sufficient to process continuation awards for (b) 722 of the Act grantees; and

(c) Enable each State to have information on all funds expended for IL in the State, for what the funds paid, who was served, with what services, and for RSA to be able to compare State and

CIL performance with other States and other CILs.  
(Authority: (b) 13, 704(m) (4) (D), 705(c) (5), 706(d), 721, 722, 723, 725(c) (8), 725(c) (13) of the Act; 34 CFR Parts 364, 365, 366)

Each CIL receiving funds under part B (for the general operation of the CIL) or part C of must complete the Part II report. A list of RSA regional and central office contacts, addresses, telephone numbers, and electronic contact user IDs, is included at the end of these instructions.

GLOSSARY OF TERMS

Act The Rehabilitation Act of 1973, as amended

CIL A "Center for Independent Living" meeting the definition in §702 of the Act, and the standards in §725 of the Act.

CIL program The "Centers for Independent Living program" funded under part C, Chapter 1 (Ch. 1) of Title VII of the Act (part C).

Consumer Any individual with a significant disability who is eligible for IL services under 34 CFR 364.40(a) and is currently receiving or has been provided with any IL services under the program other than information and referral.

Core Services IL services defined in §7(29) of the Act-- information and referral, IL skills training, peer counseling (including cross-disability peer counseling), and individual and systems advocacy.

CSR A "Consumer Service Record" maintained for an eligible consumer receiving IL services and meeting the requirements of 34 CFR 364.53. Where IL services are provided to the parent or guardian of a consumer, the CSR is established for the consumer and the services provided are reflected in that CSR.

DSU The "Designated State Unit, or Units" identified under §101(a)(1) of the Act, to jointly with the Statewide Independent Living Council, develop and sign the State plan for Ch. 1 of Title VII under §704 of the Act. The term includes a State agency solely designated under State law to provide IL services to individuals who are blind. In such State, the State agency for the Blind may administer the provisions in the attachments to the State plan providing for services to individuals who are blind. In a "723 State", the DSU administering the CIL program is always the general agency.

Earmarked Funds appropriated by the State and expressly or clearly identified as State Funds expenditures in the relevant fiscal year for the sole purpose of funding the general operation of CILs meeting the requirements of §§702 and 725 of the Act.

§722 State A State where RSA issues grants under part C directly to eligible agencies (CILs).

§723 State A State where the DSU issues grants or assistance contracts under part C to eligible entities for the planning, establishment, and operation of CILs.

IL "Independent Living"

ILP An "Independent Living Plan" for the provision of IL services mutually agreed upon by an appropriate staff member of a service provider and an individual with significant disabilities.

Minority Means Alaskan Natives, American Indians, Asian Americans, Black (African Groups Americans), Hispanic Americans, Native Hawaiians, and Pacific Islanders.

Reporting The most recent Federal fiscal project year completed - October 1 to September 30.  
Year

RSA The "Rehabilitation Services Administration" in the Department of Education, Office of Special Education and Rehabilitative Services.

Service Provider--

(i) A DSU which directly provides IL services to consumers; or

(ii) A CIL; or

(iii) An entity which:

(A) provides IL services under a grant or contract; and

(B) is delegated responsibility for the determination of eligibility for IL services.

SILC The "Statewide Independent Living Council" established in each State as required by §§704 and 705 of the Act.

SILS The "State Independent Living Services program" funded under part B, Ch. 1 of Title VII of the Act.

SPIL The "State Plan for Independent Living," which governs the State IL Services and Centers for Independent Living programs and describes the services to be provided under the IL Services for Older Individuals who are Blind program.

STATE      Wherever the term "State" is used, it refers to the State  
in its sovereign sense. For  
             purposes of Title VII, the DSU(s) and the SILC jointly represent the  
State, except  
             where otherwise noted.

CONTENT OF THE REPORT

□704 REPORT, PART II (Part II) contains:

(a) Subpart IIA - Self Evaluation: a measure of the extent to which a CIL is in compliance with the standards in □725(b) of the Act and the indicators of minimum compliance with the standards in 34 CFR Part 366, Subpart G;

(b) Subpart IIB: Narrative - Comparison of the Activities of the CIL with the Reporting Year  
Work Plan and with the Activities in the Year Immediately Preceding the Reporting Year

(1) A comparison of activities and accomplishments during the reporting year with the goals and activities included in the reporting year's work plan;

(2) A comparison with the immediately preceding reporting year of program accomplishments and goal achievements during the reporting year;

(3) Descriptions of significant activities not accounted for elsewhere the report, e.g., brief summaries of innovative activities or practices not reported in previous years, which could be replicated and used by other States and CILs;

(4) Descriptions of substantial problems or difficulties, particularly problems that may affect compliance, alternative resolutions explored, and which ones worked (Why?);

(c) Subpart IIC - Program Planning Objectives: a report on compliance with the assurance that a CIL will establish annual and 3-year work plans and the CIL's work plan for the next fiscal year;

(d) Subpart IID - Sources and Amounts of Funding for the Operation of the CIL: a report on resources received and expended by a CIL during the reporting year;

(e) Subpart IIE - Next Fiscal Year Budget Information: submittal of budgets for the remaining years of the grant where budgets have not been previously negotiated, or a revised budget where appropriate;

(f) Subpart IIF - Consumer Demographics: provides information from CSRs controlled by the CIL (i.e., maintained in a CIL required to report in □704 Part II) on the numbers and types of consumers receiving IL services, regardless of the source of funding for a particular service; and

(g) Subpart IIG - Types and Amounts of Services Provided: a report of community (Subpart IGI) and individual (Subpart IIGII) IL services provided by the CIL. Information on individual services is reported only from CSRs controlled by the CIL, regardless of the source of funding for a particular service.

WHO MUST COMPLETE THE REPORT AND WHERE MUST IT BE SUBMITTED?

(a) Section 722 State.

(1) The part C and part B funded CILs will submit one copy of the Part II report to the RSA regional office, one copy to the RSA central office, and one copy to the SILC. If the CIL is receiving both part B and part C funds, also submit a copy of the report to the DSU.

(2) CILs funded solely with part B or State funds submit their Part II reports to the DSU and the SILC. The DSU will transmit the CIL reports to RSA with the Part I report.

(b) Section 723 State.

CILs will file their Part II reports with the DSU and the SILC. The State will aggregate the data and summarize other information in the Part II reports with the Part I report and attach the incoming reports from the CILs for reference, including the State's Technical Assistance and Training Needs Survey. The aggregate Part I report will be forwarded to RSA (one copy to the regional office, one copy to RSA central office).

A list of RSA regional and central office contacts, addresses, telephone numbers, and electronic contact user IDs, is included at the end of these instructions.

WHEN MUST THE REPORT BE SUBMITTED TO RSA?

(a) In □722 States, the Part II reports from part C funded CILs are due to RSA 90 days after the end of the reporting year (December 29).

(b) In □723 States, the information from the Part II reports is included in the aggregate Part I report, which is due to RSA 90 days after the end of the reporting year (December 29).

TRANSMITTING THE REPORT ELECTRONICALLY

RSA will transmit to all States and CILs computer software to enable States and CILs to file the

□704 Reports by computer on the RSA Bulletin Board (RSA BBS). Please send original

signature pages to the appropriate RSA regional office. To file:

ELECTRONIC                    RESERVED                    INSTRUCTIONS FOR ELECTRONIC FILING UNDER THE  
REPORTING SYSTEM UNDER DEVELOPMENT WILL BE TRANSMITTED TO  
YOU ALONG WITH THE REPORTING SOFTWARE.

RECORD RETENTION

The information provided in this report by Federal grantees is subject to confirmation at an on-site compliance review; therefore, financial records, statistical records, and all supporting documents and other records pertinent to the grant award, adequate to document the accuracy of the information and statements in the □704 Annual Performance Report, must be kept for five years.

(Authority: 34 CFR 74.53)

INSTRUCTIONS FOR COMPLETING THE §704 ANNUAL PERFORMANCE REPORT

SELF-EVALUATION (Part II, Subpart IIA, IIB)

The purpose of the self evaluation is to assist the CIL to assess the CIL's compliance with the standards in §725(b) and the indicators of minimum compliance with the standards in 34 CFR Part 366, Subpart G; and the assurances in §725(c) and 34 CFR Part 366, Subpart F.

The standards, indicators, and assurances are requirements reflecting essential elements that a CIL must meet to comply with the statutory definition of a CIL and to be eligible for continuation funding.

This subpart and the instructions for the narrative in Subpart IIB provide guidance against which a CIL should review its activities to determine whether or not it may have a problem complying with the standards in the event of an on-site compliance review under Section 706(c) or 723(g) and (h) of the Act. If the CIL does identify problems, it should address them in the manner suggested in paragraph (c). (§702, 722(c), 723(c), 724(a)(2) of the Act; 34 CFR Parts 364 and 366)

If a CIL determines through its self evaluation that it may have a problem meeting one of the standards or an assurance, it should note in the Part II report either:

(a) What action has been taken since the end of the reporting year to correct the deficiency (Attachment II-B); or

(b) Include in next year's work plan, a description of the corrective action the CIL proposes to take to correct the deficiency (Attachment II-C(a)). (34 CFR Part 366, Subpart E)

Staffing Part II, Subpart IIAI(a)(1)

(1) "FTE" means one person working full-time equivalent of one year (Approximately 2080 hours). Part-time employees and employees who worked for any fraction of the year are counted as a fraction of an FTE to the nearest tenth.

(2) To compute FTE for purposes of the §704 report, determine the number of hours (excluding any overtime) for which employees were actually paid during the last six months of the reporting year. Multiply the hours worked by 2 and then divide the result by 2080 = FTE.

(3) Categories of positions are:

(i) Decisionmaking - e.g., executive director, supervisors, and any other policy position;

(ii) Staff - e.g., counselors, teachers, trainers, and other staff not included in

(3) (i).

ATTACHMENT II - B - CIL Narrative (Reporting and prior year)

Please do not report information in this attachment that is included elsewhere in the report.

In the following order please describe or discuss:

(a) Activities and accomplishments during the reporting year; compare with the goals and activities included in the reporting year's work plan. Briefly discuss how the activities compare with the activities of the CIL in the year immediately preceding the reporting year, if appropriate. Please refer to the section(s) of the self-evaluation (Part II, Section IIA Indicators) with which the activities and accomplishments demonstrate compliance. Address in order--

(1) Advocacy, including but not limited to:

(i) Community and systems advocacy plan;

(ii) Technical assistance plan;

(iii) Communication, coordination, and cooperation (collaboration plan); and

(iv) Affirmative action plan.

(Sec. 725(b) (5) and (6) of the Act; 34 CFR 366.50; §704II, Sections IIA(I) (d) (2), (IV))

(2) Outreach. Describe the CIL's outreach activities to consumers who are members of populations of individuals with significant disabilities, including minorities, who are unserved or underserved.

(Sec. 725(b) (6) of the Act; §704II, Section IIA(IV))

(3) Community and individual IL service needs. In addition to your report on work plan activities in this area, provide a brief (one paragraph) summary of the type of opportunities provided consumers to express satisfaction including the number of individuals assessed and the number of respondents. Also, indicate any planned needs assessment of individuals with significant disabilities living in the service area. Please

describe the type of assessment approach, e.g., focus group, written survey, public meeting, etc.

(Sec. 725(b)(5) of the Act; §704II, Section IIA(V))

(4) Response to community or individual needs. Report on the response to opportunities provided by the CIL for consumers to express satisfaction with the CIL's services in (3) preceding and policies in facilitating their achievement of IL goals. Also, if the CIL included in its last year's work plan activities responding to a community needs assessment or consumer satisfaction surveys, please report on the results of the activities.

(Sec. 725(b)(6) of the Act)

(4) Resource development. If the information is available, please report the percentage and dollar amount of the CIL's total funding represented by resources received from sources other than Title VII of the Act. Please note any exemplary replicable methods of resource development.

(Sec. 725(b)(7) of the Act; §704II, Section IIA(VI))

(5) Training. Please provide a brief report on staff and governing board training activities during the reporting year.

(Sec. 725(c)(11) of the Act; 34 CFR 364.24)

(b) Significant activities not accounted for elsewhere in this report, e.g., brief summaries of innovative activities or practices not reported in previous years, which could be replicated and used by other States and CILs.

(c) Descriptions of substantial problems or difficulties, particularly problems that may affect compliance, types of resolution methods attempted, and which ones worked (Why?). If a corrective action plan is included in next year's work plan, please cross-reference it here (no need to describe it).

ATTACHMENT II - C(a) - CIL work plan

This attachment is to contain information an eligible CIL must provide to qualify for continued funding under the CIL program; therefore it is important that the attachment be carefully and completely prepared. Failure to complete the attachment may jeopardize the CIL's part C grant award.

This attachment contains the CIL's work plan for the next Federal fiscal year. The plan should be specific and measurable so that, at the end of the reporting year, the CIL can compare its achievements against its projected goals and the indicators in Part II, Subpart IIA. If a corrective action plan, necessary to correct a compliance problem identified by the CIL, is included in the work plan, it should be specifically identified and cross-referenced to the specific standard or indicator in Part II, Section IIA. The work plan should include, but not be limited to:

Goals and activities. Include long term goals and specific activities planned to meet the requirements of each of the standards in section 725 of the Act including the following:

(a) Advocacy. Include details of how the CIL will achieve its social change goals including:

- (1) A community advocacy plan and related activities;
- (2 ) A technical assistance plan and related activities;
- (3) A plan for collaboration with other agencies and groups to further communication, coordination, and cooperation along with related activities; and
- (4) Affirmative action plans.

(b) Outreach. Describe the CIL's plans for outreach to consumers who are members of populations of individuals with significant disabilities, including minorities, who are unserved or underserved.

To comply with the standards and indicators, CILs are not required to conduct a needs assessment; however, the Department considers needs assessments to be a useful tool to identify unserved and underserved populations, to ascertain their needs, identify existing resources available and additional resources needed to address the needs. Needs assessment need not be undertaken every year but are believed to lose substantial utility after three years. The Department suggests that any needs assessment undertaken:

(1) Be based on methodology that is consistent with statewide needs assessment methodologies adopted by the SILC and the DSU; and

(2) Identify the--

(i) Service needs of individuals with significant disabilities, including the numbers of individuals with different types of physical, cognitive, mental, and sensory disabilities in the community;

(ii) Barriers to full integration of individuals with significant disabilities into society; and

(iii) Resources available or necessary to remove those barriers.

If the CIL conducted a needs assessment during the reporting year, RSA recommends that CILs summarize the results and provide the summary to the CIL's governing board, SILC, and include the summary in Part II, Attachment II-B(4).

(c) Community and individual IL service needs. Identify the community and individual IL services the CIL anticipates providing. Ensure that the intended services are consistent with the approved SPIL.

CILs are required to provide opportunities for consumers to express satisfaction with the CIL's services and policies in facilitating their achievement of IL goals. The purpose of this indicator is to assure that a CIL is currently providing needed services in an appropriate manner and to identify needs for additional or different services. In addressing this requirement CILs:

(1) Should afford consumers an opportunity to anonymously express satisfaction or dissatisfaction with the effectiveness of the CIL's services and policies in facilitating consumers' achievement of IL goals;

(2) May use various approaches such as town meetings, focus groups, written surveys, and telephone surveys;

(3) Must report the results to the CIL's governing board, SILC, and include a brief summary of the results in Part II, Attachment II-B.

(d) Response to needs. Identify in the work plan, if appropriate, workplan provisions specifically responsive to any recent community needs assessment, consumer expressions regarding

satisfaction, or needs identified through any other forum. Provisions could include:

(1) Making adjustments in the CIL's resource allocations to meet consumer needs identified;

(2) Inclusion in the plan, advocacy for the creation of new programs that will expand the options available to consumers, as identified; and

(3) A corrective action plan addressing specific deficiencies in the CIL's activities or operation, identified.

(e) Resource development. Include the CIL's goals and activities for obtaining and increasing funding (including in-kind) from sources other than Title VII of the Act.

RSA particularly encourages CILs to set goals to increase funding received by the center from sources other than Title VII of the Act by setting a percentage target increase related to the CIL's anticipated funding from all sources for the next year. (Sec. 725(b)(7) of the Act; §704II, Section IIA(VI))

(f) Training. Include plans for training governing board, employees, volunteers, and consumers; e.g., staff development, IL philosophy, ADA, particularly specific activities to train consumers in self-advocacy and personal power. (34 CFR 364.24)

ATTACHMENT II - C(b) - CIL training and technical assistance needs

As the CIL compares its last fiscal year's work plan and accomplishments, conducts its self-evaluation of compliance with the indicators, and considers what is required to accomplish the next year's work plan, the CIL should identify training and technical assistance needs for the next fiscal year. Please be specific. Identify and list these needs in priority order. (□721(b) (3) of the Act; 34 CFR 366.13)

SOURCES AND AMOUNTS OF RESOURCES (Part II, Subpart IID)

In IID, report the amounts of resources received during the reporting year by the CIL from each of the sources indicated.

ATTACHMENT II-E: ED FORM NO. 524 - BUDGET PROPOSAL

A CIL that has negotiated a budget for each year of its grant award is not required to submit this budget proposal unless certain changes are anticipated in the budget for the upcoming year. Budgetary and other changes which require RSA's approval are specified in 34 CFR 74.103, 74.105, 74.176, and 80.30 of EDGAR.

INSTRUCTIONS FOR ED FORM NO. 524

General Instructions

This form is used to apply to individual U. S. Department of Education discretionary grant programs. Unless directed otherwise, provide the same budget information for each year of the multi-year funding request. Pay attention to applicable specific instructions, if attached.

Section A - Budget Summary  
U. S. Department of Education Funds

All applicants must complete Section A and provide a breakdown by the applicable budget categories shown in lines 1-11.

Lines 1-11, columns (a)-(e):

For each project year for which funding is requested, show the total amount requested for each applicable budget category.

Lines 1-11, column (f):

Show the multi-year total for each budget category. If funding is requested for only one project year, leave this column blank.

Line 12, column (a)-(e):

Show the total budget request for each project year for which funding is requested.

Line 12, column (f):

Show the total amount requested for all project years. If funding is requested for only one year, leave this space blank.

Section B - Budget Summary  
Non-Federal Funds

If you are required to provide or volunteer to provide matching funds or other non-Federal resources to the project, these should be shown for each applicable budget category on lines 1-11 of Section B.

Lines 1-11, columns (a)-(e):

For each budget year for which matching funds or other contributions are provided, show the total contribution for each applicable budget category.

Lines 1-11, column (f):

Show the multi-year total for each budget category. If non-Federal contributions are provided for only one year, leave this column blank.

Line 12, columns (a)-(e):

Show the total matching contribution for each project year.

Line 12, column (f):

Show the total amount to be contributed for all years of the multi-year project. If non-Federal contributions are provided for only one year, leave this space blank.

Section C - Other Budget Information

Pay attention to applicable program specific instructions, if attached

(1) Provide an itemized budget breakdown, by project year, for each budget category listed in Sections A and B.

(2) If applicable to this program, enter the type of indirect rate (provisional, predetermined, final, or fixed) that will be in effect during the funding period. In addition, enter the estimated amount of the base to which the rate is applied, and the total indirect expense.

(3) If applicable to this program, provide the rate and base on which fringe benefits are calculated.

(4) Provide other explanations or comments you deem necessary.

Budgetary and other changes which require RSA's approval are specified in 34 CFR 74.103, 74.105, 74.176, and 80.30 of EDGAR.

NUMBERS AND TYPES OF INDIVIDUALS WITH SIGNIFICANT DISABILITIES  
RECEIVING SERVICES (Subpart IIF)

I - Active Consumer Service Records--This is a count of individuals who were determined eligible for any part of the reporting year, and for whom a CSR was initiated.

(a) Enter the number of active CSRs carried over from September 30 of the preceding year.

(b) Enter the number of new CSRs initiated during the year.

(c) Enter the total number of consumers served during the year.

II Inactive Consumers at Year End--Record consumer records that have been purged from the active CSR file because the individual has moved, stated that he or she had no further interest in the program, died, achieved all goals set, or for other reasons.

III Active Consumers and Year End--Indicate the total number of Consumers remaining active on

September 30 of the reporting year (I(c) - II(f)).

For the remaining sections of this subpart, RSA intends that the demographic information include all consumers served during the year.

IV Time Consumers active--Enter the numbers of CSRs and the time since initiation.

V Consumer Achievements--Report the total numbers of goals set by consumers during the reporting year and the number of goals achieved by consumers during the reporting year.

Consumers may set and/or achieve more than one goal, and a goal may be set in one year and achieved in another. Please classify goals in the following categories:

(a) Self-care - Goals to improve/maintain an individual's autonomy with respect to activities of daily living such as personal grooming and cleaning, toileting, meal preparation, shopping, eating, etc.

(b) Communication - Goals involving either improvement in the consumer's ability to understand and acknowledge communication by others (receptive), or improvement in one's ability to produce verbal language, sign language and other communication (expressive).

(c) Mobility - Goals to improve an individual's access to his life space, environment or community. This increase in access may occur by improving the person's own ability to move

or transport himself or herself, or by allowing the consumer to be moved or transported by another person.

(d) Residential - Goals that provide for change in living situations with increased autonomy for the individual with significant disabilities.

(e) Educational - IL goals of an academic or training nature that are expected to improve the consumer's basic knowledge or increase his or her ability to perform certain skills.

(f) Vocational - IL goals related to obtaining, maintaining, or advancing in employment.

(g) Other - Other IL goals not included in the above categories.

VI Age--Enter number of consumers in each age category at the end of reporting year. For CSRs put in inactive status during the year, use consumers' ages to be reached during the reporting year.

VII Gender--Enter number of males and females served during the fiscal year.

VIII Race/ethnicity--Enter a count of individuals by race or ethnicity. Information should be solicited on a voluntary basis. If unavailable, a consumer should be included in the group to which he or she appears to belong. If you don't know, leave it blank. For persons who are of mixed racial origin, use the category which reflects the individual's choice. The racial categories are:

(a) White (non-Hispanic)--A person having origins in any of the original peoples of Europe, North Africa, or the Middle East.

(b) Black (non-Hispanic)--A person having origins in any of the black racial groups of Africa.

(c) American Indian or Alaskan Native (including Native Hawaiians)--A person having origins in any of the original peoples of North America or Hawaii, and who maintains cultural identification through affiliation or community identification.

(d) Asian or Pacific Islander - A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This area includes, for example, China, India, Japan, Korea, the Philippine Islands, and Samoa.

(e) Hispanic - A person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin.

IX Disability--Enter a count of individuals with a significant cognitive, mental, physical, sensory, or multiple disability.

X Living arrangements--Indicate the living arrangements of individuals at the end of the reporting year or when a consumer moved to inactive status.

(a) Institution--individuals living in nursing homes, etc; Note that residing in an institution does not render an individual ineligible for IL services so long as the individual has the ability to function, continue to function, or move towards functioning independently in the family or community (which could include the nursing home).

(b) Dependent: w/family or friends--individuals living with and dependent on family or friends;

(c) Assisted Living--includes halfway house, group home, etc;

(d) Independent--number of individuals who are independent, whether living alone or with family or friends; or

(d) Other.

XI Source of Personal Assistance Services Reimbursement--As this is a new service authorized in the 1992 Amendments to the Act and is a major IL service, data regarding the sources of funding for the service is needed for State and Federal planning and budget purposes. Please indicate the number of persons receiving PAS from the sources indicated. Where funds are administered by the service provider and "passed through" to the consumer, please report the amounts of these funds in the financial section of the report.

TYPES OF SERVICES PROVIDED AND NUMBERS OF INDIVIDUALS RECEIVING SERVICES (Subpart IIG)

I - Community services--Centers must indicate by responding "Y" for Yes and "N" for No next to the community services provided by the CIL. Centers are encouraged but not required to report the number of hours of community service provided. If the CIL maintains records sufficient to report the number of hours and chooses to report the number of hours, in the appropriate columns, record the total person hours of staff time expended on particular community service activities, e.g., hours spent

working on an advertising campaign to raise community awareness of ADA. The intent is to obtain a count of the types and hours of all group/community services being provided. Please round to the nearest whole hour.

(a) Information and referral (I&R), as a community service entails the provision of I&R to groups of individuals and does not necessitate initiating a CSR, e.g., speaking at the Rotary Club luncheon about ADA. The chief difference between this service and the I&R under individual services listed later is this service is provided to groups rather than one individual at a time.

(b) Community and systems advocacy--efforts to implement local policy and legislation to make facilities, services and opportunities available/accessible to individuals with disabilities.

(c) Outreach--efforts to locate and serve individuals with significant disabilities in the community.

(d) Publications--accessibility guides, disability awareness brochures, ADA, how to advice, etc.

(e) Community education--activities and information programs to enhance the community's awareness of disabilities and disability issues, e.g., local TV, radio, or newspaper campaigns.

(f) Maintaining registries--includes activities related to creating and maintaining directories for personal assistants, recreation opportunities, accessible transportation, accessible housing, and other support services.

(g) Other--Activities that do not fit in any of the above.

II - Individual Services--List the number of consumers receiving each of the services offered during the reporting year. The numbers of individuals utilizing a service affords a measure of the benefits derived from that particular service made available by a service provider; it is not expected to equal the number of consumers, as a single individual may receive a number of different services. IL services include, but are not limited to the following:

(a) Advocacy/legal services - advocacy and legal assistance and/or representation in obtaining access to those benefits, services and programs to which a consumer may be entitled.

(b) Assistive devices/equipment - provision of specialized devices and equipment such as TDD's,

wheelchairs and lifts, or provision of assistance to obtain these devices and equipment from other sources.

(c) Children's services - IL services provided to a child under age six.

(d) Communication services - services directed to enable individuals with significant disabilities to better communicate such as: interpreter services, including tactile interpreter services for deaf-blind individuals; training in communication equipment use; Braille training; and reading services.

(e) Counseling services, include psychological, psychotherapeutic, and related services.

(f) Family services - services provided to the family members of an individual with significant disabilities when necessary for improving the individual's ability to live and function more independently, or his or her ability to engage or continue in employment. Such services may include respite care. (Record the service in the consumer's CSR on behalf of whom services were provided to the family.)

(g) Housing or shelter services, including services related to securing housing or shelter, adaptive housing services (including appropriate accommodations to and modifications of any space used to serve, or occupied by, individuals with significant disabilities). A CIL shall not provide housing or shelter as an IL service on either a temporary or long-term basis unless the housing or shelter is incidental to the overall operation of the CIL and is provided to any one individual for a period not to exceed eight weeks during any six-month period.

(h) Independent Living Skills Training and Life Skills Services and Training - IL skills training is instruction to develop independent living skills in areas such as personal care, coping skills, financial management, social skills, and household management, including education and training necessary for living in the community and participating in community activities. Life skills training and services are independent living skills training and interpreter, and reader services for individuals with cognitive and sensory disabilities.

(i) Information and referral services - individual I&R provided to a consumer and recorded in his or her CSR. (It is not necessary to record I&R in a CSR nor establish a CSR for an individual receiving only I&R services). The greater number of individuals receiving I&R services are

when individuals receive single face-to-face contact or one or two telephone calls that may result in providing information verbally, disseminating printed material and/or referral to another source for services or further information. It may include a minor one-time service of such a nature that establishment of a CSR is not justified. Some service providers record I&R as strokes on an answering pad--others as phone minutes; some CILs create a CSR or other files for future contact and outreach.

(j) Mental Restoration - psychiatric restoration services including maintenance on psychotropic medication, psychological services, and treatment management for substance abuse.

(k) Mobility training - variety of services involved in assisting individuals with cognitive and sensory impairments to get around their homes and communities.

(l) Peer Counseling - counseling, teaching, information giving, and similar kinds of contact provided by other individuals with disabilities.

(m) Personal assistance services, including attendant care and the training of personnel providing such services.

(n) Physical restoration - restoration services including medical services; therapeutic treatments, such as physical therapy, occupational therapy, speech, language and hearing therapy; health maintenance; eyeglasses and visual services; and prosthetic, orthotic and other assistive appliances and devices.

(o) Preventative services - services intended to prevent additional disabilities, or to prevent an increase in the severity of an existing disability.

(p) Prostheses and other appliances (See also Rehab technology)

(q) Recreational services - provision or identification of opportunities for the involvement of individuals with significant disabilities in meaningful leisure-time activities; participation in community affairs and/or other recreation activities that may be competitive, active or quiet.

(r) Rehabilitation technology - provision of, or assistance to obtain through other sources, adaptive modifications which address the barriers confronted by individuals with significant disabilities with respect to education, rehabilitation, employment, transportation, independent living and/or recreation.

(s) Therapeutic treatment - services provided by registered occupational, physical, recreational, or speech therapists.

(t) Transportation - provision of, or arrangements for provision of transportation.

(u) Youth Services - services provided to youth with significant disabilities (ages 6 - 17); training to develop skills specifically designed for youths to promote self-awareness and esteem, develop advocacy and personal power skills, and explore career options.

(v) Vocational services - any of the services defined in §103 of the Act.

(w) Other - any IL service not listed above.

RSA REGIONAL OFFICE DIRECTORY

REGION I

Mr. John J. Szufnarowski  
RSA Regional Commissioner  
01-0041  
Dept. of Education, OSERS  
J.W. McCormack Post Office  
and Court House, Rm. 232  
Boston, MA 02109

FAX: 9-1-215-596-0471

TDD: 9-1-215-596-0269

RSA BBS USER-ID: RSARCI  
RSA BBS USER-ID: RSARCI  
-- Connecticut  
-- Maine  
-- New Hampshire  
-- Rhode Island  
-- Vermont  
-- Massachusetts

Hours: 8:00 - 4:30

EDST: 8:00 - 4:30

REGION II

RSA Regional Commissioner  
02-1050  
Dept. of Education, OSERS  
26 Federal Plaza, Room 1239  
New York, New York 10278  
9-1-212-264-4016

9-1-404-331-2352

TDD: 9-1-212-264-4028

RSA BBS USER-ID: RSARCII  
-- New Jersey  
-- Puerto Rico  
-- Virgin Island  
-- New York

Hours: 8:00 - 4:30

EDST: 8:00 - 4:30

REGION III

Dr. Ralph N. Pacinelli  
RSA Regional Commissioner  
03-2050  
Dept. of Education, OSERS  
3535 Market St., Rm 16120  
Philadelphia, PA 19104  
9-1-215-596-0317  
9-1-617-223-4085

FAX: 9-1-617-223-4573

TDD: 9-1-617-223-4097

-- District of Columbia  
-- Delaware  
-- Maryland  
-- Virginia  
-- West Virginia  
-- Pennsylvania

Hours: 8:30 - 5:00

EDST: 8:30 - 5:00

REGION IV

RSA Regional Commissioner  
04-3050  
Dept. of Education, OSERS  
101 Marietta St., N.W.,  
Suite 2210, P.O. Box 1691  
Atlanta, GA 30301  
FAX: 9-1-212-264-3029

FAX: 9-1-404-331-0494

TDD: 9-1-404-730-3825

RSA BBS USER-ID: RSARCIV  
-- Alabama  
-- Florida  
-- Kentucky  
-- N. Carolina  
-- S. Carolina  
-- Tennessee  
-- Georgia  
-- Mississippi

Hours: 8:00 - 5:00

EDST: 8:00 - 5:00

REGION V

Mr. Terry Conour  
RSA Regional Commissioner  
05-4050  
Dept. of Education, OSERS  
401 South State St., Suite 700E  
Chicago, IL 60605-1202

9-1-312-886-5372

9-1-816-891-8015  
TDD: 9-1-312-353-9694  
RSA BBS USER-ID: RSARCV  
-- Indiana  
-- Michigan  
-- Minnesota  
-- Ohio

-- Missouri  
-- Illinois

EDST: 9:15 - 5:45

REGION VI

Mr. Loerance Deaver  
RSA Regional Commissioner  
06-5050  
Dept. of Education, OSERS  
1200 Main Tower Bldg., Rm. 2140  
Dallas, TX 75202  
9-1-214-767-2961

9-1-303-844-6078  
TDD: 9-1-214-767-8125  
RSA BBS USER-ID: RSARCVI  
-- Arkansas  
RSARCVIII  
-- Louisiana  
-- New Mexico  
-- Oklahoma  
-- Texas

Hours: 8:00 - 4:30  
EDST: 9:00 - 5:30

REGION IX

Mr. Gilbert Williams  
RSA Regional Commissioner  
09-8050

REGION VII

RSA Regional Commissioner  
07-6050  
Dept. of Education, OSERS  
10220 N. Executive Hills  
Blvd.  
Kansas City, MO 64153-  
1367

FAX: 9-1-312-353-7341

FAX: 9-1-816-374-6627  
TDD: 9-1-816-374-6917  
RSA BBS USER-ID: RSARCVII  
-- Iowa  
-- Kansas  
-- Nebraska  
-- Wisconsin

Hours: 8:00 - 4:30  
Hours: 8:15 - 4:45

EDST: 9:15 - 5:45

REGION VIII

RSA Regional Commissioner  
08-7050 Dept. of Ed.,  
Federal Office Bldg.  
Suite 310  
1244 Speer Boulevard  
Denver, Co 80204-3582  
FAX: 9-1-214-767-8127

FAX: 9-1-303-844-6269  
TDD: 9-1-303-844-2890  
RSA BBS USER-ID:

-- Montana  
-- N. Dakota  
-- S. Dakota  
-- Utah  
-- Wyoming  
-- Colorado

Hours: 7:30 - 4:00  
EDST: 9:30 - 6:00

REGION X

RSA Regional Commissioner  
10-9050

Dept. of Education, OSERS  
Federal Office Bldg., Room 215  
50 United Nations Plaza  
San Francisco, CA 94102  
9-1-415-556-7333

FAX: 9-1-206-220-7840  
TDD: 9-1-415-556-3323  
RSA BBS USER-ID: RSARCIX  
-- Arizona  
-- Hawaii  
-- Nevada  
-- Guam  
-- American Samoa  
-- California  
-- CNMI  
-- Palau

EDST: 11:00 - 7:30  
Hours: 8:00 - 4:30

Dept. of Education, OSERS  
915 Second Avenue, Room  
2848  
Seattle, WA 98174-1099  
9-1-206-220-7840  
FAX: 9-1-415-556-3634

TDD: 9-1-206-220-7849  
RSA BBS USER-ID: RSARCX  
-- Alaska  
-- Idaho  
-- Oregon  
-- Washington

Hours: 8:00 - 4:30  
EDST: 11:00 - 7:30

#### CENTRAL OFFICE DIRECTORY

Dr. Donald Thayer  
Program Specialist  
Independent Living Branch  
Special Projects Division  
Office of Developmental  
Programs, RSA  
330 C St., S.W.,  
Room 3326  
Washington, DC 20202-2741  
TEL: 202-205-9315  
FAX: 202-205-9772  
RSA BBS USER ID: JNELSON  
INTERNET: john.nelson@ed.gov  
Hours: 8:00 - 4:30

John Nelson  
Branch Chief  
Independent Living Branch  
Special Projects Division  
Office of Developmental  
Programs, RSA  
330 C St., S.W.,  
Room 3320  
Washington, DC 20202-2741  
TEL: 202-205-9362 (V) (TDD)  
FAX: 202-205-9772  
Hours: 8:00 - 4:30

#### FORM 424

Form 424 is the standard application face page for Federal assistance (SF 424) and the concomitant instructions. Standard instructions for completing the SF 424 form immediately follow the form. Additionally, the supplemental instructions provided below are to be used in lieu of or along with the standard instructions for the following items:

Item 1 - Preprinted

Item 5 - Enter the name and telephone number of the CIL director (or principal contact).

Item 6 - If the organization has been assigned a Department of Education (ED) entity number consisting of the IRS employer identification number prefixed by "1" and suffixed by a two-digit number, enter the full ED entity number in block 6.

Item 8 - Preprinted.

Item 10 - Preprinted.

Item 12 - Insert the State and the geographical area which the center serves.

UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

REHABILITATION SERVICES ADMINISTRATION

Washington, D.C. 20202-2741

FISCAL YEAR 19

ANNUAL PERFORMANCE REPORT

FOR

STATE INDEPENDENT LIVING SERVICES AND  
CENTERS FOR INDEPENDENT LIVING PROGRAMS

PART II

CENTERS FOR INDEPENDENT LIVING

STATE

NAME OF CENTER

NAME OF GRANTEE

GRANT #

7/7/95 THE REHABILITATION ACT OF 1973, AS AMENDED (ACT)

APPLICATION FOR  
FEDERAL ASSISTANCE

2. Date Submitted  
Application Identifier  
N/A

1. TYPE OF SUBMISSION

Construction  
 Non-Construction

Preapplication

N/A  
 Construction

Nonconstruction

3. DATE RECEIVED BY STATE  
State Application Identifier

4. DATE RECEIVED BY RSA  
Federal Identifier

5. APPLICANT [CENTER] INFORMATION

Legal Name  
Organizational Unit

Address (Give city, county, state, and zip code)

Name and telephone number of the person to be contacted  
on matters involving this application (give area code)

6. Employer Identification Number \_\_\_\_\_ - \_\_\_\_\_

7. TYPE OF APPLICATION:(enter appropriate letter  
here) N

|              |                      |                |
|--------------|----------------------|----------------|
| A State      | F Intermunicipal     | K Indian tribe |
| B County     | G Special District   | L Individual   |
| C Municipal  | H Indep. Schl Dist.  | M Profit Org.  |
| D Township   | I ST Cont. I of HL   |                |
| E Interstate | J Private University |                |



\$  
.00

b. Applicant  
\$  
.00

c. State  
\$  
.00

d. Local  
\$  
.00

e. Other  
\$  
.00

f. Program Income  
\$  
.00

17. IS THE APPLICANT DELINQUENT ON ANY  
FEDERAL DEBT?

     Yes If "Yes" attach an explanation  
No

g. TOTAL  
\$  
.00

18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS □704 REPORT,  
PART  
II ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY  
THE GOVERNING BODY OF THE CENTER AND THE APPLICANT WILL COMPLY WITH THE  
ORIGINAL APPLICATION ASSURANCES IF THE ASSISTANCE IS AWARDED.

19. a. Typed Name of Authorized Representative  
b. Title:  
c. phone/fax #:

d. Signature of Authorized Representative

e. Date Signed

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Standard Form 424 REV 4-  
Prescribed by OMB Circular A-



number and title of the program under which assistance is requested.

11. Enter a brief descriptive title of the project, if more than one program is involved, you should append an

Item:

Entry:

explanation on a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications use a separate sheet to provide a summary description of this project.

12. List the State and area (county, city, etc.) the applicant is applying to serve with this application.

13. Self-explanatory.

14. List the applicant's Congressional District and any District(s) affected by the program or project.

15. Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate only the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as item 15.

16. Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process. N/A

17. This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes.

18. To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application).



SUBPART IIA: APPLICANT SELF EVALUATION  
 (□725(c)(8)(A) of the Act; 34 CFR 366.50(h))

I - COMPLIANCE INDICATOR 1 - PHILOSOPHY (□725(b)(1) of the Act;  
 34 CFR 366.63(a))

(a) - Consumer control (□□725(b)(1)(A), 725(c)(2) and (6) of the  
 Act; 34 CFR 366.63(a)(1)(A))

(1) Over 50 percent of the CIL's--

(i) Governing board is composed of  
 individuals with significant  
 disabilities. . . . . Yes No

| (ii) CIL Employees | Total     | Persons with | Minority  |
|--------------------|-----------|--------------|-----------|
|                    | Positions | Disabilities | Employees |

(A) Decisionmaking positions

(B) Staff positions

(b) - Self-help and self-advocacy (□725(b)(1)(B) of the Act; 34  
 CFR 366.63(a)(2))

The CIL during the reporting year has  
 conducted activities that promote self-help  
 and self-advocacy among individuals with  
 significant disabilities . . . . . Yes No

(c) - Development of peer relationships and peer role models  
 (□725(b)(1)(C) of the Act; 34 CFR 377.73(a)(3))

The CIL during the reporting year has conducted  
 activities that promote the development of  
 peer relationships and peer role models among  
 individuals with significant disabilities  
 (e.g., activities using individuals with  
 significant disabilities who have achieved  
 IL goals [whether the goals were achieved  
 independently or through assistance and  
 services provided by a CIL] as instructors  
 [volunteer or paid] in its training programs  
 or as peer counselors). . . . . Yes No

(d) - Equal access (□725(b)(1)(D) of the Act; 34 CFR 377.73(a)(4))

The CIL--

(1) Ensures equal access, including communication and physical access, to the CIL's services, programs, activities, resources, and facilities, whether publicly or privately funded. Equal access, for purposes of this paragraph means that the same access is provided to an individual with a disability regardless of the individual's type of significant disability; . . . . . Yes No

(2) Advocates for and conducts activities that promote the equal access to all services, programs, activities, resources, and facilities in society, whether public or private, and regardless of funding source for individuals with significant disabilities. Equal access, for purposes of this paragraph, means that the same access provided to individuals without disabilities is provided in the center's service area to individuals with significant disabilities.. . . . Yes No

(3) Makes available, as appropriate, all of its written policies, materials, and IL services in alternative formats . . . . . Yes No

II - COMPLIANCE INDICATOR 2 - PROVISION OF SERVICES ON A CROSS-DISABILITY BASIS  
 (□725(b) (2) of the Act; 34 CFR 366.63(b))

The CIL--

- (a) Provides IL services to eligible individuals or groups of individuals without restrictions based on the particular type or types of disabilities; . . . . . Yes No
- (b) Provides IL services to individuals with a diversity of significant disabilities, and individuals who are members of populations that are unserved or underserved by programs under Title VII of the Act; and. . . . . Yes No
- (c) Provides IL core services to individuals with significant disabilities in a manner that is neither targeted nor limited to a particular type of disability. . . . . Yes No

III - COMPLIANCE INDICATOR 3--INDEPENDENT LIVING GOALS  
 (□725(b) (3) of the Act; 34 CFR 364.53, 366.63(c))

- (a) The CIL maintains a CSR for each consumer that contains:
  - (1) Documentation concerning eligibility or ineligibility for services; . . . . . Yes No
  - (2) Either an ILP or a waiver of the ILP. . . . . Yes No
  - (3) The IL goals or objectives established with the consumer. . . . . Yes No
  - (4) Records of the IL goals considered by the consumer to have been achieved; . . . . . Yes No
- (b) The CIL maintains documentation:
  - (1) That the CIL notifies all consumers of their right to develop or waive the development of an ILP; . . . . . Yes No
  - (2) On the number of ILPs developed by consumers receiving services from the CIL; . . . . . Yes No
  - (3) That the CIL facilitates the development and achievement of IL goals selected by individuals with significant disabilities who request assistance from the CIL; . . . . . Yes No

(4) That the CIL provides opportunities for consumers to express satisfaction with the CIL's services and policies in facilitating their achievement of IL goals and provides any results to its governing board and SILC; and. . . . . Yes No

(5) On the number of waivers signed by consumers receiving services from the CIL stating that an ILP is unnecessary . . . . . Yes No

IV - COMPLIANCE INDICATOR 4--COMMUNITY OPTIONS AND COMMUNITY CAPACITY

(□725(b)(4), 725(c)(10) of the Act; 34 CFR 366.63(d))

During the reporting year, the CIL promoted the increased availability and improved quality of community-based programs that serve individuals with significant disabilities and promoted the removal of any existing architectural, attitudinal, communication, environmental, or other type of barrier that prevents the full integration of these individuals into society. The CIL advocated for and performed at least one activity in each of the following categories:

(a) Community advocacy; . . . . . Yes No

(b) Technical assistance to the community on making services, programs, activities, resources, and facilities in society accessible to individuals with significant disabilities;. . . Yes No

(c) Public information and education; . . . . . Yes No

(d) Aggressive outreach to consumers who are members of populations of individuals with significant disabilities that are unserved or underserved by programs under Title VII of the Act in the CIL's service area; and . . . . . Yes No

(e) Collaboration with service providers, other agencies, and organizations that could assist in improving the options available for individuals with significant disabilities to participate in the services, programs, activities, resources, and facilities in the service area.. . . . Yes No

V - COMPLIANCE INDICATOR 5--IL CORE SERVICES AND OTHER IL SERVICES

(□725(b)(5) of the Act; 34 CFR 366.63(e))

The CIL--

(a) Provides information and referral services to all individuals who request these types of assistance or services from the CIL; and. . . . . Yes No

(b) As appropriate in response to their requests, provides to individuals with significant disabilities who are eligible for IL services from the CIL the following services--

- (1) IL skills training;
- (2) Peer counseling (including cross-disability peer counseling);
- (3) Individual and systems advocacy; and
- (4) A combination, as appropriate, of any two or more other IL services. . . . . Yes      No

VI - COMPLIANCE INDICATOR 6--RESOURCE DEVELOPMENT ACTIVITIES  
 725(b)(6) of the Act; 34 CFR 366.63(f)

The CIL--

- (a) Conducted resource development activities during the reporting year to obtain funding from sources other than Chapter 1 of Title VII of the Act.. . . . Yes      No

SUBPART IIB: NARRATIVE - COMPARISON OF THE ACTIVITIES OF THE CIL WITH THE REPORTING YEAR WORK PLAN AND WITH THE ACTIVITIES IN THE YEAR IMMEDIATELY PRECEDING THE REPORTING YEAR  
725(c)(8)(F) of the Act; 34 CFR 366.50(i)(7))

ATTACHMENT II - B In the following order please provide:

(a) A comparison of activities and accomplishments during the reporting year with the goals and activities included in the reporting year's work plan.

Where appropriate, provide a brief comparison of program accomplishments and goal achievements during this reporting year with the immediately preceding reporting year .

(b) If appropriate, descriptions of significant activities not accounted for elsewhere this report.

(c) If appropriate, descriptions of substantial problems or difficulties, alternative solutions explored, and what worked (why?) .

SUBPART IIC: PROGRAM PLANNING OBJECTIVES 725(c)(4) of the Act; 34 CFR 366.50(d))

ATTACHMENT II - C(a): CIL WORK PLAN FOR NEXT FISCAL YEAR

Attach a copy of next fiscal year's work plan.

ATTACHMENT II - C(b): TRAINING AND TECHNICAL ASSISTANCE NEEDS

(Section 721(b) (3) of the Act; 34 CFR 366.13)

Please include this attachment on a separate page.

In reviewing your work plans, please identify any areas in which you would like training and technical assistance. The Technical Assistance and Training Needs Assessments submitted as part of this report will be forwarded to the Training and Technical Assistance grantee funded under section 721 of the Act and to the Regional Continuing Education Program grantees for the purpose of establishing funding, training, and technical assistance priorities.

SUBPART IID: SOURCES AND AMOUNTS OF RESOURCES FOR THE  
OPERATION OF THE CIL DURING THE REPORTING YEAR  
(□725(c) (8) (D) of the Act; 34 CFR 366.50(i) (4))

I - Resources

(a) Federal Funds

- |                             |    |
|-----------------------------|----|
| 1. Ch. 1, part B, Title VII | \$ |
| 2. Ch. 1, part C, Title VII | \$ |
| 3. Ch. 2, Title VII         | \$ |
| 4. Other Federal Funds      | \$ |

(b) Other Government Funds

- |                           |    |
|---------------------------|----|
| 5. State government funds | \$ |
| 6. Local government funds | \$ |

(c) Private Funds

- |   |    |
|---|----|
| 7. Foundation, corporation or trust grants                          | \$ |
| 8. Donations from individuals                                       | \$ |
| 9. Memberships  | \$ |
| 10. Investment income, endowment                                    | \$ |
| 11. Fees for service (program income)                               | \$ |
| 12. Other resources (in-kind items, etc.)<br>(estimated fair value) | \$ |

(d) Total resources (Sum of lines 1--12) \$

(e) Amount of total resources that  
"pass through" to consumers, e.g.,  
personal assistant service funds \$

(f) Net resources (line (d) minus line (e)) \$

SUBPART IIE - NEXT FISCAL YEAR BUDGET INFORMATION

Education Department Form No. 524 on the following pages is to be used for submittal of budget information for the forthcoming fiscal year, and for each remaining year of the grant.

If a CIL has negotiated a budget for each year of its grant award, the CIL is not required to complete this section unless certain changes are anticipated in the budget for the next year.

FORM NO. 524

U. S. DEPARTMENT OF EDUCATION  
BUDGET INFORMATION  
NON-CONSTRUCTION PROGRAMS

OMB Control No. 1875-0102

Expiration Date: 9/30/95

Name of Institution/Organization:

Applicants requesting funding for only one year should complete the column under "Project Year 1." Applicants requesting funding for multi-year grants should complete all applicable columns. Please read all instructions before completing form.

SECTION A - BUDGET SUMMARY  
DEPARTMENT OF EDUCATION  
FUNDS

U.S.

Budget Categories

Project  
Year 1 (a)  
Project  
Year 2 (b)  
Project  
Year 3 (c)  
Project  
Year 4 (d)  
Project Year  
5 (e)  
Total  
(f)

1. Personnel

2. Fringe Benefits

3. Travel

4. Equipment

5. Supplies

6. Contractual

7. Construction

N/A

N/A

N/A

N/A

N/A

N/A

8. Other

9. Total Direct

Costs  
(lines 1-8)

10. Indirect Costs

11. Training

Stipends

N/A

N/A

N/A

N/A

N/A

N/A

12. Total Costs  
(lines 9-11)

Name of Institution/Organization:

Applicants requesting funding for only one year should complete the column under "Project Year 1." Applicants requesting funding for multi-year grants should complete all applicable columns. Please read all instructions before completing form.

SECTION A - BUDGET SUMMARY  
NON-FEDERAL FUNDS

Budget Categories

Project

Year 1 (a)

Project

Year 2 (b)  
Project  
Year 3 (c)  
Project  
Year 4 (d)  
Project Year  
5 (e)  
Total  
(f)

1. Personnel

2. Fringe Benefits

3. Travel

4. Equipment

5. Supplies

6. Contractual

7. Construction

N/A

N/A

N/A

N/A

N/A

N/A

8. Other

9. Total Direct Costs  
(lines 1-8)

10. Indirect Costs

11. Training Stipends

N/A

N/A

N/A

N/A

N/A

N/A

12. Total Costs  
(lines 9-11)

SECTION C - OTHER BUDGET INFORMATION (see instructions)

SUBPART IIF            NUMBERS AND TYPES OF INDIVIDUALS WITH  
SIGNIFICANT            DISABILITIES RECEIVING SERVICES THROUGH THE CIL

(□13, 704(m) (4) (B), (D) of the Act;  
34 CFR 364.50(i) (2))

- I - Consumers Served during Year
  - (a) CSRs carried from previous FY
  - (b) CSRs started since Oct. 1 of report year

- (c) Total consumers served

- II - Consumers Inactive @ Sept. 30

- (a) Moved
  - (b) Withdrew
  - (c) Died
  - (d) Inactive because goals met
  - (e) Other

(f) Total

III- Consumers (CSRs) Active @ Sept. 30  
(□I(c) minus □II(f))

IV - Time Consumer (CSR) active

- (a) Less than 12 months
- (b) 12 months - 2 years
- (c) 2 years - 5 years
- (d) Over 5 years
- (e) Total

V - Consumer Achievements (□725(c) (14) of the Act; 34 CFR  
364.43)

(a) Number of individuals to whom an offer was  
made to develop an ILP but who waived the offer

(b) Number of individuals with whom an ILP  
was developed during the year.

Consumer Goals and Objectives Established and Achieved

Objectives/Goals  
Total  
Goals  
set  
Total  
Goals  
met

(a) Self-care

(b) Communication

(c) Mobility

(d) Residential

(e) Educational

(f) Vocational

(g) Other

VI - Age

- (a) Under 6
- (b) 6 - 17
- (c) 18 - 22
- (d) 23 - 54

(e) 55 & over

VII - Gender

- (a) Female
- (b) Male

VIII - Race/ethnicity

- (a) White (non-Hispanic)
- (b) Black (non-hispanic)
- (c) American Indian or Alaskan Native  
(includes Native Hawaiian)
- (d) Asian or Pacific Islander
- (e) Hispanic

IX - Disability

- (a) Cognitive
- (b) Mental
- (c) Physical
- (d) Sensory
- (e) Multiple disability

X - Living Arrangements

CSR @ Sept. 30

- (a) Institution
- (b) Dependent w/family or friends  
(c) Assisted living
- (c) Independent
- (d) Other

XI - Source of Personal Assistance  
Services Reimbursement

CSR @ Sept. 30

- (a) Part B, Ch. 1, Title VII
- (b) Part C, Ch. 1, Title VII
  
- (c) Medicaid Waiver Program
- (d) Medicaid
- (e) Title XX
- (f) Other
- (g) None Available

SUBPART IIG: TYPES OF SERVICES PROVIDED THROUGH THE CIL

AND

THE NUMBER OF INDIVIDUALS WITH SIGNIFICANT  
DISABILITIES RECEIVING EACH TYPE OF SERVICE

(704(m)(4)(D), 725(c)(8)(C) of the Act; 34

CFR

364.43, 366.50(i)(3))

(Reporting the number of hours of Community Services performed is optional.)

I - Community services  
Conducted

Total Hours

(Y/N)

- (a) Information and referral
- (b) Community and systems advocacy
- (c) Outreach
- (d) Publications
- (e) Community education
- (f) Maintaining registries
- (g) Other
- (h) Total (a - g)

II - Individual services

No. of Persons Served

- (a) Advocacy/legal services
- (b) Assistive devices/equipment
- (c) Children's services
- (d) Communication services
- (e) Counseling and related services
- (f) Family services
- (g) Housing and shelter services
- (h) Information and Referral
- (i) Independent living skills training and life skills training and services
- (j) Mental restoration
- (k) Mobility training
- (l) Peer counseling (including cross-disability peer counseling)
- (m) Personal assistance services, including attendant care and the training of personnel providing such services
- (n) Physical rehabilitation
- (o) Preventative services
- (p) Prostheses and other appliances
- (q) Recreational services
- (r) Rehabilitation technology
- (s) Therapeutic treatment
- (t) Transportation services
- (v) Youth services
- (w) Vocational services
- (x) Other

722 STATES: PROVIDE ONE COPY OF THIS REPORT TO YOUR SILC, ONE COPY TO THE RSA REGIONAL OFFICE, AND ONE COPY TO THE RSA CENTRAL OFFICE. IF THE CIL ALSO RECEIVES PART B FUNDS, PROVIDE ONE COPY TO THE DSU. IN 723 STATES: PROVIDE ONE COPY TO YOUR DSU, AND ONE COPY TO THE SILC. CILS FUNDED SOLELY WITH CHAPTER 1, PART B OF TITLE VII FUNDS OR STATE FUNDS: FILE THE REPORT WITH THE DSU. ALL REPORTS ARE DUE TO RSA NINETY DAYS AFTER THE END OF THE FISCAL YEAR FOR WHICH THE REPORT PERTAINS.

I hereby affirm that the information contained in this 704 Annual Performance Report, Part II is true and correct to the best of my knowledge.

SIGNATURE OF CIL DIRECTOR

DATE

SIGNATURE OF GRANT OFFICIAL  
(if different from Director)

DATE

NAME AND TITLE OF GRANT OFFICIAL

PHONE NUMBER