

CIL-NET Presents...

A National Teleconference & Webinar

Assessing the Health of Your CIL: Preventative Management Checkup Using RSA's Review Tool

Part 1: Preparation and Standards

May 1, 2013

3:00 PM – 4:30 PM EDT

Presenter:
Paula McElwee

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Why use and know RSA's review tool?



- It lays out expectations for CILs in a checklist format.
- A self-review will help assure your CIL is meeting federal requirements.
- It is the tool reviewers will use in your onsite review by RSA.

RSA increasing the number of reviews?

- Rehab Act requires 15% of centers annually
- A recent Inspector General's report found that they were not meeting this goal.
<http://rsa.ed.gov/display.cfm?pageid=394#oig>
- RSA staff have increased activity but capacity is stretched.
- With sequestration stretched even further.
- While 15% may not be possible we have seen increased activity.

You want to be ready anyway!

- Know/meet legal and contractual requirements.
- Use actual RSA On-Site Checklist to check center's readiness and compliance.
- Download most current in PDF or Word from **<http://rsa.ed.gov/display.cfm?pageid=394>**
- This is the same form the onsite reviewers will use to document compliance.
- RSA provides about 30 days notice before actual onsite review.

As you review, collect and organize



- **Don't** just go down the checklist and mark it.
- **Do** actually locate the document or person who has the proof that you meet the item.
- **Do** write that on your checklist so that you don't forget where you found the proof.
- **Do** organize the papers that will document your compliance in each area.
 - ***Presenter TIP:*** Make a folder for each compliance item and copy the documents or comments into folders.
- **Do** identify who can be interviewed related to this information.

You won't have to share your own review

- If you identify areas where you need to improve or where you do not meet the requirements, develop a **plan of action**.
- Assign the things that must be done, set a target date, and **CHECK BACK** to make sure the work is completed.
- **Add** additional information developed/ collected to your **resources** files for review during an on-site visit, or your next internal one.
- **Update the checklist** as a tracking document. Doesn't have to be pretty, just functional.

You will be asked to gather documents

Presenter TIPS

- One or more of your reviewers may need an **alternate format or other reasonable accommodation** to access documents.
- **Copy documents multiple times** if you set up files for each review area or item.
- **Highlight** specific wording to show you meet the requirement. For example, in the folder on consumer control, highlight the bylaws provision stating that 51% of your board have a significant disability. Also include highlighted policy, roster w/ disability status, and board self-disclosure forms.

Think about who will be good to interview



- **Board chair**, but there may also be other board **members** who have specific history or expertise you want to share. More can come to the orientation and talk to the survey team.
- If you use an **outside accountant** for some of your financial processes, they should be available.
- Consider inviting **consumers** who most “get” the philosophy, who can express different service options and who demonstrate the range of services, disabilities and ethnic communities.
- Who **understands the data** used in 704 report?

Legal documents for review

- Articles of Incorporation
- 501(c)(3) certificate
- Bylaws
- IRS Form 990 and supporting documents
- Applicable licenses
- Contracts/written agreements w/ funders & partners
- Insurance policies
- **Original** RSA-approved application for Part C funds

A *Presenter TIP* about that original application..



- Find it and review it.
- Centers may be held to the provisions of their original grant awards related to special populations or geographic areas to be served.
- If you are **not** adhering to that original proposal, do you have correspondence with RSA related to changes?
- If not, that needs your attention.

Organizational documents

- Mission statement/program descriptions
- Organizational chart
- Staff roster including disability status
- Job descriptions and performance reviews
- Governing board roster, including disability status
- Minutes of governing board meetings for at least the past year
- All policies and procedures—operational, fiscal, personnel, board, affirmative action

Organizational documents, cont'd.

- Fiscal policies and procedures including procurement and property disposal policies, and travel policies that assure travel reimbursement is allowable and reasonable
- Financial statements, reports, payroll records, equipment inventory, annual audits etc.

Presenter TIP: You may want to copy and highlight sections of these documents in the file folders you create for each checklist item. Originals, though, should be in notebooks or folders as a complete set.

Other records

- Consumer service records, physical and electronic files, and lists and reports related to the most recent 704 report
- IL service delivery policies, procedures and publicity
- Consumer confidentiality policies
- Consumer satisfaction instruments and assessments
- Annual & three year program/financial plan objectives; current & coming year work plan

Review of the Consumer Service Record



How does RSA know you are fulfilling your contract to provide core services?

- You report annually on your 704 report.
 - Goals set and met / Services provided / ILPs and ILP waivers
- They review Consumer Service Records as part of compliance review—typically 20 to 40, including new, closed and carry overs.
- They will compare CSRs to 704 data.

Presenter TIP: Use individual CSR Review form at http://wiki.ilru.net/images/2/2b/CSR_checklist_updated_032113F.pdf for your own individual file review.

Another good tip

Presenter TIP: If you copy excerpts from consumer service record for your review files...Make sure you have a signed release of information to include this for review

OR

- Redact the name or names from the excerpt so that they cannot be seen.

Presenter TIP: If you redact, keep a list for yourself of the original file names. They may ask you to pull a file that has the original information and you don't want to scramble and appear not to have the original.

Questions & Answers

Got questions?

From here on—actual checklist items

- We will give you text from the checklist regarding **what RSA requires.**
- If a requirement is not met, RSA cites what you need to do as a **“finding.”**
- We will distinguish when the item is a **“finding”** or a **“recommendation.”** Recommendation is a suggested practice, and may be included in your report if you do not meet it, but is not a **finding** requiring correction.

Presenter TIP: indicates a suggestion you might find useful related to that section.

I. Grantee is an Eligible Agency

- Consumer controlled
- Community-based
- Cross disability
- Non-residential
- Private
- Non-profit

Evaluation Standard 1—IL Philosophy

- Consumer control in management, establishment of policy and direction of center
- Self-help and self-advocacy
- Development of peer relationships and peer role models
- Equal access to all services, programs, activities, resources, and facilities
- Promotes equal access to these in society whether public or private

Verification Checklist Items

- Number of persons on the governing board AND Number of governing board members with significant disabilities.

Over 50% significant disabilities?

How do board members disclose that they have a significant disability?

- Is the board the Principle Decision-Making Body?

Presenter TIP: Bylaws? Policies and Procedures?

Actual decisions made? Cross reference board minutes and legal documents. Highlight board decision-making.

Reports sometimes recommended—written policies, board roles, and recruitment procedures

Verification, cont'd.

- Over 50 percent of CIL's employees in decision-making positions are individuals with disabilities.
- Over 50 percent of staff positions are filled with individuals with disabilities.

Recommendations in some reports—number of minority board members, decision-making and other staff positions reflects community; or brings in racial or ethnic groups traditionally underrepresented.

Self-help and Self-advocacy

- Promotes self-help and self-advocacy among individuals with disabilities

Verification methods:

Consumer service record should reflect self-advocacy in both goals and notes.

Consumers interviewed should be able to indicate ways that they are learning to advocate for themselves.

Development of Peer Relationship and Peer Role Models

- The CIL promotes the development of peer relationships and peer role models among individuals with significant disabilities.

Verification includes reviews of:

Peer groups

Peer to peer relationships

Presenter TIP: Documented in CSR goals or notes, and/or through consumer interviews. Regularly convened “groups” may count but so do other peer relationships.

Equal Access

- Communication

Policies and other written materials in alt. formats

TDD/TTY, pictures for non-readers, video, text etc.

Interpreters

- Physical access to all programs, services and resources whether owned, public or private

Signage, doors, parking, bathrooms, policy and signage re: environmental illness/multiple sensitivity

- Reasonable accommodations—Interpreters?
Readers? Personal attendants?

Advocates for and conducts activities that promote equal access

- Sites CIL uses in community
- Programs and services consumers wish to access
- ALL services, programs, activities, resources and facilities in society, whether public or private and regardless of funding source

Presenter TIP: If you have news articles, web postings, notes in consumer files etc. copy into a folder that shows how you advocate for equal access.

Presenter TIP: Keep surveys of community sites and correspondence advocating for better access.

Questions & Answers

Got questions?

Evaluation Standard 2 – Provision of Services

- Provides across a range of significant disabilities
- Services are cross-disability
- Eligibility is determined re: the individual has a significant disability; not a specific single disability.

(Unless the service is unique such as Braille instruction for persons who are blind, ASL interpreter services for person who are deaf, etc.)

Evidence that services are cross-disability

- Expect to see wide range of disabilities identified in 704 report and to meet consumers with differing disabilities.
- IL Core Services are available to all
- Center needs to show how they are reaching out to members of populations that are unserved or underserved.
- Brochures, policies and practices are clearly cross-disability

Evaluation Standard 3 – Independent Living Goals

The Center shall facilitate the development and achievement of IL goals selected by individuals with significant disabilities who seek assistance in the development and achievement of IL goals from the center.

Evidence regarding IL Goals

- CIL maintains a consumer service record (CSR) for **each** consumer served.
- CSR includes documentation showing that individuals are eligible or ineligible; typically document signed by consumer or staff **following CIL policy**
- **Only** those eligible are served.
- **EITHER** a written plan **or** a written waiver signed by consumer stating ILPs are unnecessary.

Consumer Record Review



- Eligibility—does the person have a significant disability? Determination signed and dated?
- What IL services were requested
- Written notification to consumers of right to develop or waive ILP
- An ILP or a waiver signed by staff member and consumer
- What IL services were provided—including evidence of core services
- Goals and objectives established with consumer (whether or not in ILP). NOT a list of services, but what the person wants to accomplish.

Consumer Service Record, cont'd.



- Goals or objectives **the consumer believes** they have achieved
- How CIL facilitated goal development, pursuit or achievement
- Review of ILP *at least* annually with determination—Continue? Modify? Discontinue? Refer?
- Signed release of information
 - Some compliance reviews have also required photo or media releases
- Required notifications—satisfaction surveys, CAP, appeal rights, alternate formats and communication modes

Specifics about ILPs...

- Indicate goals/objectives established, services to be provided and anticipated duration of services
- Are developed jointly and signed by the appropriate CIL staff member AND the individual
- Are provided in accessible formats, as needed
- Are reviewed at least annually to determine whether services should be continued, modified or discontinued and/or whether the individual should be referred to another program including VR, DD or special education

Sometimes also Recommended: written CSR management policies/procedures

From actual compliance reviews...

- If most consumers waive plans, required retraining and processes to present and understand advantages of developing ILP.
- ALL records must include development and achievement of IL goals selected by individuals.
- If CSR does not clearly document services, may question if four core services are actually provided.
- If consumers interviewed didn't understand IL philosophy and core services, required retraining and processes to assure that staff communicate these things.

Presenter TIP: Documentation is a legal requirement



- Take it seriously
- Review the consumer records *regularly* to assure the information is being collected
- If staff keep notes in a database program or electronic file, don't forget to review these too, especially if you don't routinely print them for the CSR.
- Continually remind staff to complete reports of any contact with consumer
- Train staff regarding expectations
- Monitor and correct as needed—continually not just before a compliance review. **That is too late.**

You are required to have paper copies of:

- IL Plan
- Waiver signatures

Presenter Tip: It is a good practice to keep paper or hard copies of any signed documents, which might also include releases of information, receipt of handbook or policies, progress reviews, etc.

Questions & Answers

Got questions?

Evaluation Standard 4 – Community Options



The center shall conduct activities to increase the availability and improve the quality of community options for IL to facilitate the development and achievement of IL goals by individuals with significant disabilities.

Evidence of compliance for Indicator 4



CIL performed at least one activity in each of these categories in the past year.

- **Community advocacy**
- **Technical assistance** to the community on making services, programs, activities, resources and facilities accessible
- **Public information and education**
- **Aggressive outreach** to unserved or underserved populations. Include minority groups? Urban/rural?
- **Collaboration** with other organizations that can assist in improving opportunities for individuals to avail themselves of resources in service area

Evaluation Standard 5 – Core Services



- The center must provide ALL the core services
- Additional services may also be provided

Presenter TIP: ILRU has considerable resources on the four core services available at **http://wiki.ilru.net/index.php?title=Four_Core_Services**

Presenter TIP re: proving the four core services...



- You can identify for yourself which consumers receive which core services
- Some centers make a chart with names and the core services checked
- Some print list from their database.
- Some centers mark the paper CSR with colored dots, a different color for each core services
- When random files are pulled reviewer will see full representation of core services.
- **CHECK YOUR RECORDS**—don't assume

Four core services include...

1. Information and referral services to all individuals who request this type of assistance from the CIL in accessible formats.
2. Independent living skills training
3. Peer counseling (including cross-disability peer counseling)
4. Individual and systems advocacy

A combination as appropriate of any two or more of IL services defined in **Section 7(18)(B) of Rehab Act**

Other Independent Living Services...

- Housing/shelter
- Rehabilitation technology
- Mobility training
- Services/training for individuals with cognitive or sensory disabilities
- Personal assistance services
- Identification of housing, recreation, transportation, or other support services
- Information programs re: rehab or IL services
- Education and training for participating in community
- Supported living
- Transportation
- Physical rehabilitation
- Therapeutic treatment
- Assistive technology
- Social/recreation
- Youth services
- Preventative services
- Community awareness
- Others that enhance IL

Evaluation Standard 6 – Resource Development Activities

The center shall conduct resource development activities to obtain funding from sources other than **Chapter 1 of title VII of the Act.**

Questions & Answers

Got questions?

For more information

Contact:

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Wrap Up and Evaluation

- *Click the link below now* to complete an evaluation of today's program found at:

<https://vovici.com/wsb.dll/s/12291g53263>

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