Survey of SILC Operations

Conducted in FY 2021

Instrument and Report
Developed by

Ann Watts McDaniel
And
Jeremy Morris

Contents

2021 SILC Operations Survey Results

Every state and territory is required to have a Statewide Independent Living Council (SILC) and there are many requirements regarding membership and functions. But a lot of latitude is given on how the SILC is to be structured and how it operates, providing there is consumer control and autonomy. Over the years, surveys have been conducted to gather information about SILC structure, staffing, and resources. The last survey, in 2015, only addressed funding sources and amounts. In order to get a good understanding of how SILCs are currently structured and operate, a comprehensive survey was conducted early in fiscal year 2021.

The survey was developed and distributed to all 56 SILCs in the fall of 2020 and follow-up calls and emails were sent to SILCs in order to increase the response rate as much as possible. When the survey closed, there were 34 responses – from 33 states and one territory, 61% of all SILCs. SILCs that responded varied in size, structure, and resources – providing a reasonable overview of SILCs nationally.

The 34 SILCs that responded to the survey are listed below:

Alaska	Illinois	Nebraska	Texas
Arizona	Indiana	Nevada	Utah
Arkansas	Iowa	New Jersey	U.S. Virgin Islands
California	Kansas	New York	Virginia
Colorado	Louisiana	North Carolina	Washington
Florida	Maine	Ohio	West Virginia
Georgia	Massachusetts	Oklahoma	Wyoming
Hawaii	Michigan	Oregon	
Idaho	Minnesota	Tennessee	

Based on the directory of SILCs on the ILRU website, of the 22 SILCs that did not respond to the survey, it appears that many do not have staff or have staff that are state employees. And of the 22 SILCs that did not respond to this survey, 12 also did not respond, or responses were incomplete, to the 2015 survey.

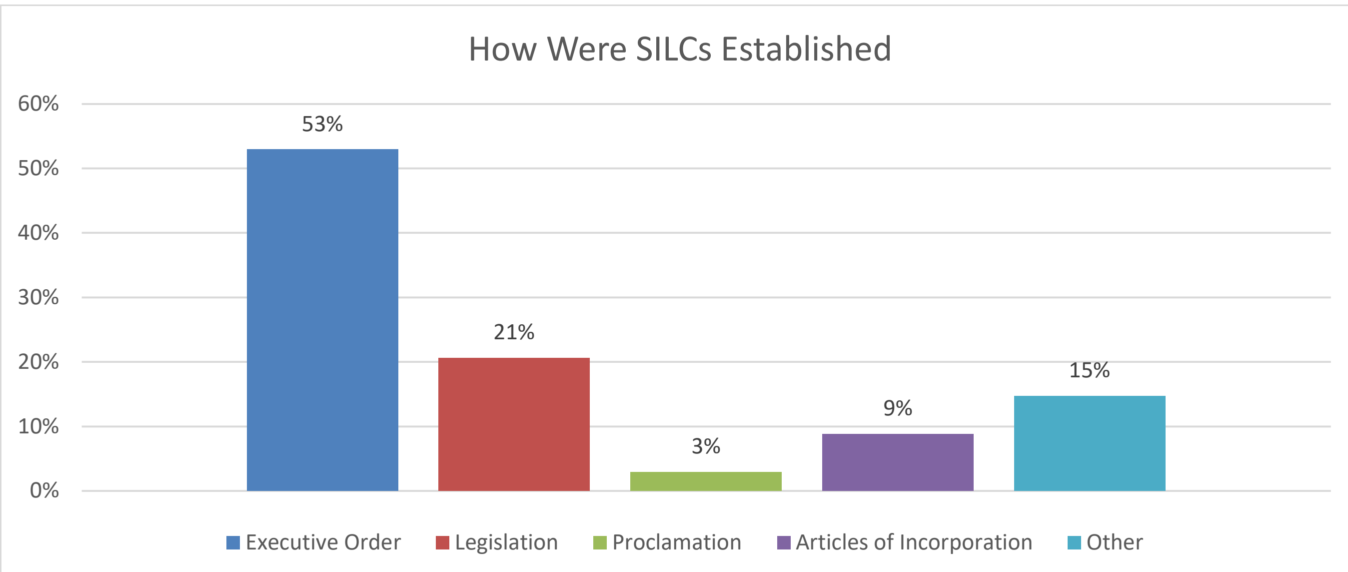
2021 Survey Results

Results have been placed in groupings by topic area, but the original survey question numbering is included. The survey instrument can be found in the appendix of this report.

SILC Establishment

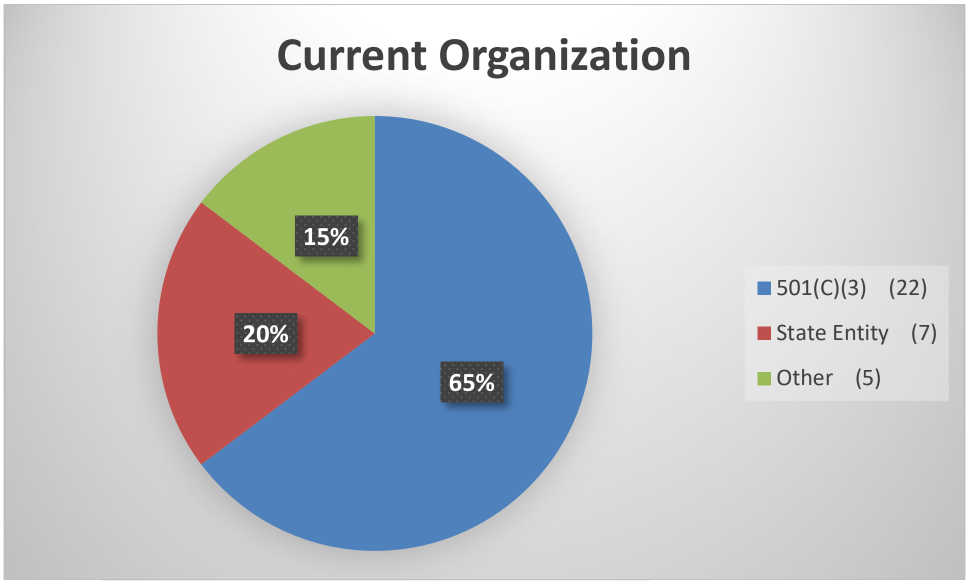
How SILCs were established and how they are currently organized.

2. How was your SILC established?



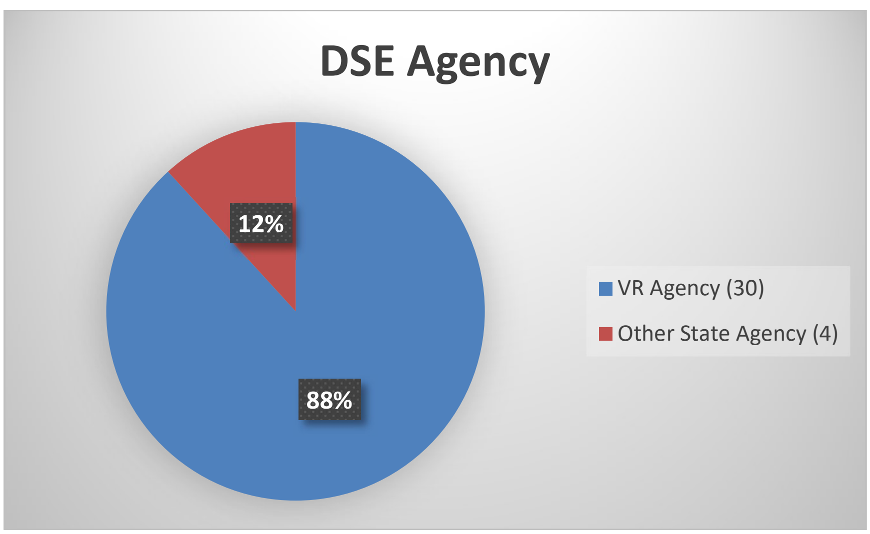
The majority of the respondents indicated that the SILC was established through an Executive Order from the Governor of the state. About 20% of the respondents indicated the SILC was established by State legislation and the remaining respondents (26%) indicated the SILC was established by other means.

3. How is your SILC organized?



The way in which the SILC is currently organized focused on the current legal structure of the SILC as it exists. The overwhelming majority of respondents (65%) indicated that the SILC was incorporated as a 501(c)(3) non-profit. This structure does allow for clear autonomy in many ways including the direct supervision and hiring of staff, control of budget and resources, and SILC control of decisions of the organization.

1. What state entity serves as your DSE (Designated State Entity)?

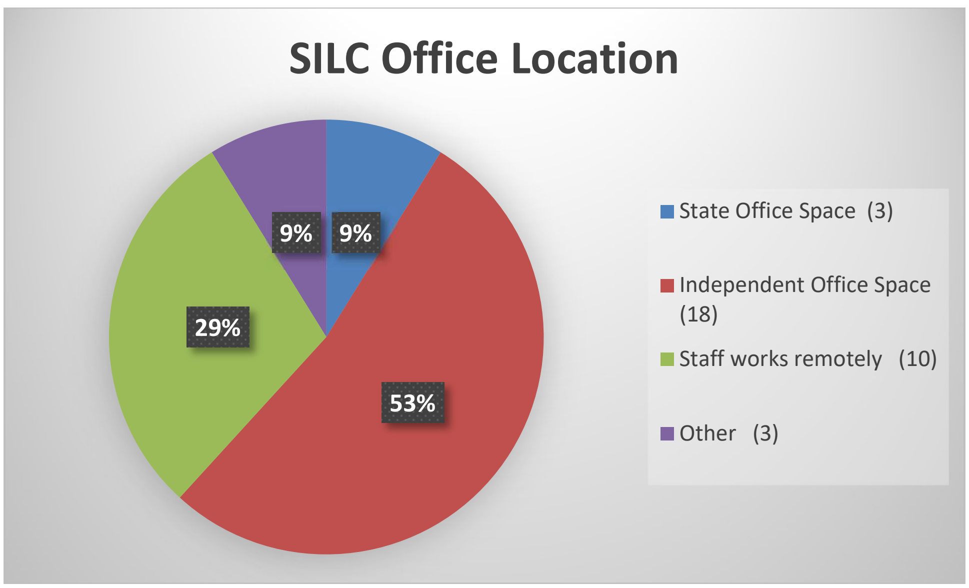


Prior to the Workforce Innovation and Opportunities Act (WIOA) of 2014, the Rehabilitation Act required that the Designated State Unit (DSU) for the Title I Vocational Rehabilitation Program serve as the grantee for the Title VII Part B funds. WIOA made it possible for the SPIL to designate a state entity (DSE) to serve as the Part B grantee. A majority of respondents (88%) indicate that the Vocational Rehabilitation Agency (DSU) is the DSE for the Independent Living (IL) Program of the state. Because there is no designated or direct funding for the SILC resource plan and the fulfillment of the duties and authorities, the SILC must regularly negotiate with the DSE and the CILs regarding the sources and amounts of funding. The SILC also has to negotiate with the DSU regarding the allocation of Title I Innovation and Expansion funds for the SILC resource plan. As Title I funds, I&E funds are under the federal purview of the Rehabilitation Services Administration (RSA) inside the Office of Special Education and Rehabilitative Services (OSERS) of the U. S. Department of Education.

SILC Autonomy

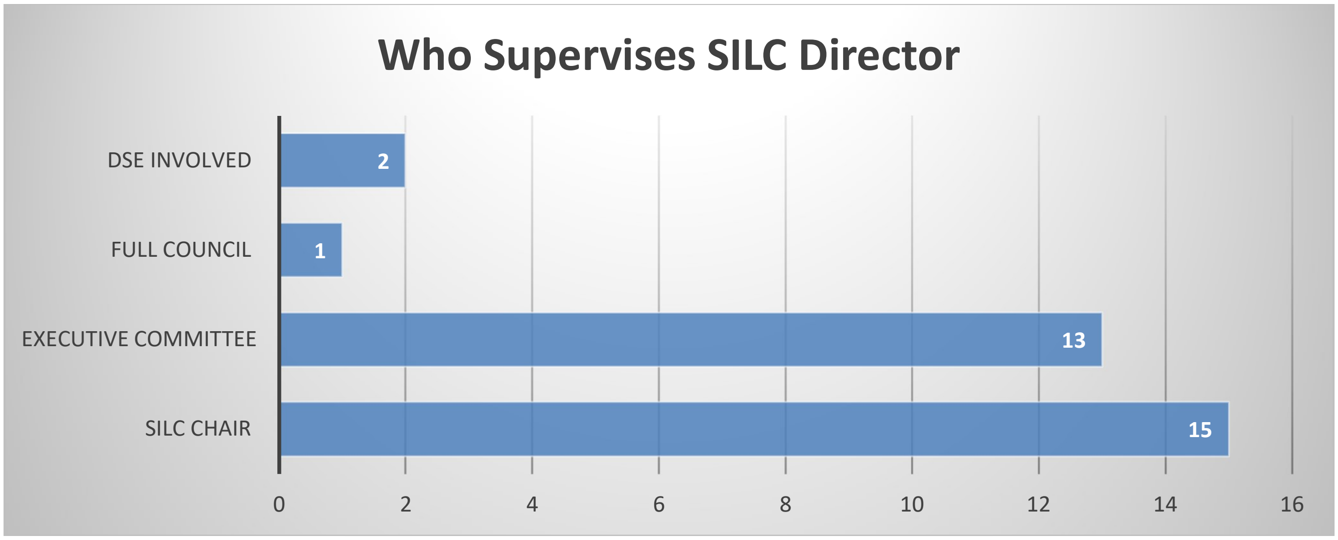
Autonomy is not only required by federal law and regulations, but also an important factor in SILC effectiveness. This issue is also addressed the SILC Assurances and Indicators of Minimum Compliance included in the SPIL Instrument.

4. Where is the SILC Office located?



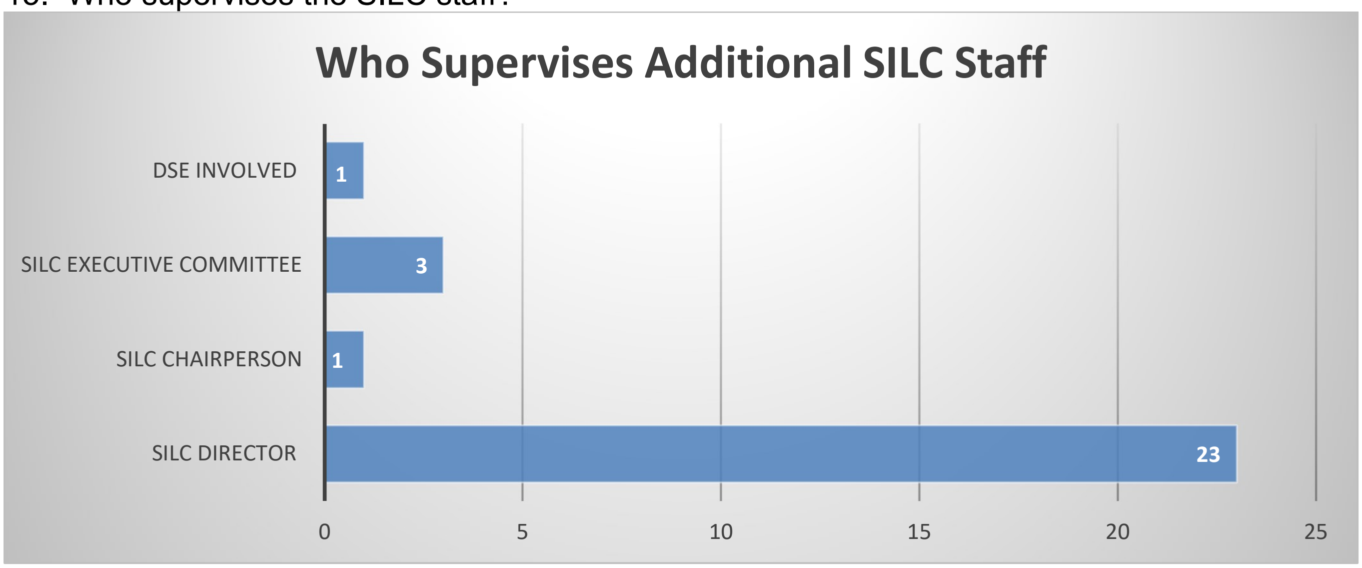
The majority of respondents (53%) indicated that the SILC has independent office space, with the next highest response (29%) being that staff works remotely. In these two situations the SILC may have greater control of operations and the resulting budgetary impacts.

14. Who supervises the SILC Executive Director?



The supervision of the Executive Director and/or staff is an indicator of SILC autonomy.

15. Who supervises the SILC staff?



Most respondents reported that the SILC Director supervises any additional staff. This would be common business practices of any independent organization. In one example,

16. How is SILC autonomy ensured?

This open-ended question generated 32 responses. Respondents included the following factors as contributing to SILC Autonomy: 501(c)(3) 29%; control of resource plan 29%; independent of the DSE 23.5%; SILC makes all decisions 18%; have/hires Executive Director/Executive Director's efforts 15%; SPIL 9%; bylaws/policies 9%; interagency agreement/contract with DSE 6%; staff are not state employees 3%; office space off site from DSE 3%; and consumer direction 3%.

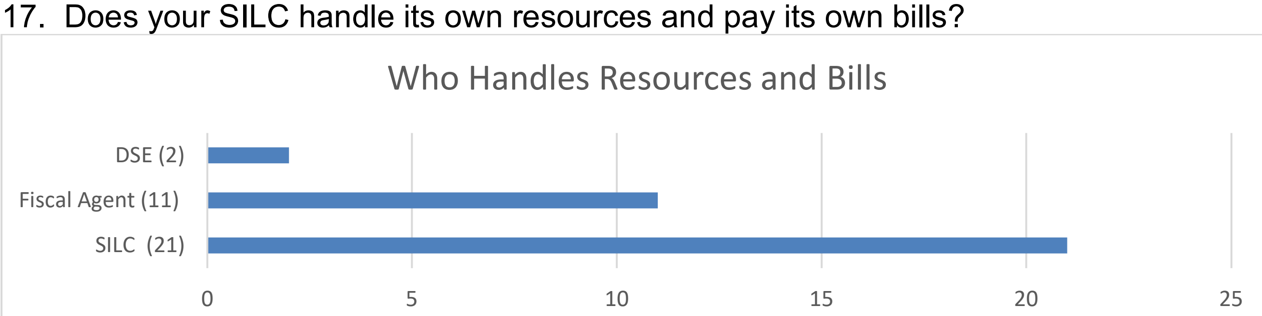
Complete responses are listed below:

How is SILC autonomy ensured?
The SILC is not established as an entity within any State agency, including the DSE, and is independent of the DSE and all other State agencies. Following is a brief description of the legal status and placement of the SILC: The Statewide Independent Living Council of Tennessee, Inc. is a 501(c) 3 status, non-profit agency mailing address is 23 Federal Drive Jackson, TN 38305. It is independent of the DSE. The SILCs current operational functions are delegated to a paid SILC Executive Director.
SPIL agreement and ED's advocacy
NYSILC is an independent non-profit corporation performing the duties of the state council in a separate office location and has been doing so successfully since 1996.
The Council itself is charged with oversight of Admin. and agency ensures transparency on their part, as well as open communication allowing SILC to drive decisions. Fiscal operation oversight is done by Admin., including payment of bills and budget oversight.
The SILC is allowed to make its own decision regarding budgets and so on.
501 c 3 and in the SPIL
SILC has own financial resources including bank accounts, staff are not state employees, SILC approves own overall budget, SILC manages own staff
The SILC makes all decisions. Autonomy is a concern.
SILC creates a budget that is shared with the DSE. The SILC has oversight for expenditures
The DSE has no say in what the SILC does except for the allocation of more I&E funds.
We are an independent state entity
According to ME SILC SPIL
SILC controls budget & activities
Council makes their decisions based on the work that they do.
Through interagency agreements - similar to a contract with the DSE
Board hires ED;
The SILC was established to meet the requirements of the Rehabilitation Act, Title VII, Chapter 1 as amended in 2014. Given the fact that the SILC was created by federal legislation, a state law or governor's executive order was not used to establish a SILC in Iowa. The SILC originally operated as an autonomous, free standing entity whose members were appointed by the Governor. It developed bylaws consistent with mandates of Title VII and took on full partnership with the DSUs in developing, implementing, and monitoring the SPIL. In order to more clearly define its rather nebulous legal standing, the Iowa SILC incorporated and became a 501(c)3 in the fall of 2005. Although the SILC is now a non-profit corporation, the members continue to be appointed by the Iowa Governor, based upon all the requirements in the federal Rehabilitation Act. The Iowa SILC is an independent entity with respect to the DSE/DSUs and all other state agencies.
501(c)(3)

Indiana has an established SILC entity that meets the requirements of section 705 of the Rehabilitation Act in accordance with 45 CFR Part 1329. This entity is the Indiana Statewide Independent Living Council or INSILC. INSILC is an entity established and authorized by Indiana state statute in accordance with Indiana Code 12-12-8-6. Per this state statute, it is specified that INSILC is not to be part of a state agency or placed within a state agency. INSILC is a 501c3 nonprofit organization. Indiana Code 12-12-8-6 states explicitly, "The Council is not a part of a state agency." INSILC has bylaws and comprehensive policies and procedures by which it operates developed and approved by the SILC. These bylaws, policies and procedures establish protocols and practices that further supports the SILC independence and autonomy from the state and insures its necessary internal controls and fiscal accountability. As a 501c3 nonprofit and the designated SILC entity for Indiana, INSILC acts as the Board of Directors for the organization providing oversight and governance of its operations and administration, as well as, ensuring it fulfills its statutorily required duties and authorities. Further assuring its independence and autonomy, INSILC has chosen to hire/utilize an INSILC Executive Director to conduct its day-to-day operations, management and administrative activities. Per the INSILC bylaws, the Council Chair acts as the immediate supervisor for the Executive Director. The INSILC Executive Director hires/manages additional INSILC staff, as is needed and in line with an annual, approved SILC budget, to support the work of the organization. The INSILC Executive Director acts as the immediate supervisor to INSILC staff. The INSILC Executive Director works with the Council Officers (INSILC Chair, INSILC Vice Chair, and INSILC Treasurer) to develop and present an annual budget to the full Council. After review and any amendments to the budget, the Council will vote to approve the annual SILC budget at a quarterly public business meeting. INSILC will receive quarterly financial statements at its quarterly public business meetings, which will include a budget to actual expenditures report. As an ex-officio member of the SILC, the DSE representative (the Director of the Indiana Bureau of Rehabilitation Services) will receive a copy of the proposed annual SILC budget. If the DSE should raise any concerns about the budget related to compliance with federal or state laws, these issues are discussed and resolved between INSILC, the INSILC Executive Director and the DSE. Grant and contract agreements between the SILC and DSE (or other state entities) will not contain conditions or requirements that may interfere with the independence and autonomy of the SILC or interfere with its ability to efficiently and effectively operate. The INSILC Executive Director, Chair and Vice Chair will meet quarterly with the DSE to continue strengthening communication between its entities and to continue cooperatively and diligently working together to maintain the independence and autonomy of the SILC, which includes addressing any language in the SILC grant/contract agreements that may compromise SILC independence and autonomy. In addition, the Indiana SILC is in composition compliance and operates as a disability-led/disability-directed entity. This consumer direction also contributes to ensuring its autonomy.
We have a very good relationship with our DSE and they are very aware of the autonomy of SILCs under federal legislation.
Housed within the Governor's Office by Executive Order
By the DSE not interfering
The SILC uses ILRU training and documents. The Council is not established as an entity within a State agency. Sec. 705(a). The SILC has a conflict of interest policy.
SILC resides in an office off-site from the State Agency, and creates our own By Laws and Policies.
We are a 501(c)(3) nonprofit entity, governed by a Board of Directors. Our DSE Administrator serves as an Ex-Officio, non-voting member of the SILC.
SILC is a 501(c)(3), develops its own budget, authorizes and makes payments for its own expenses, establishes its own policies, hires and fires ED, and is established in state code to be the non-profit as it has been functioning

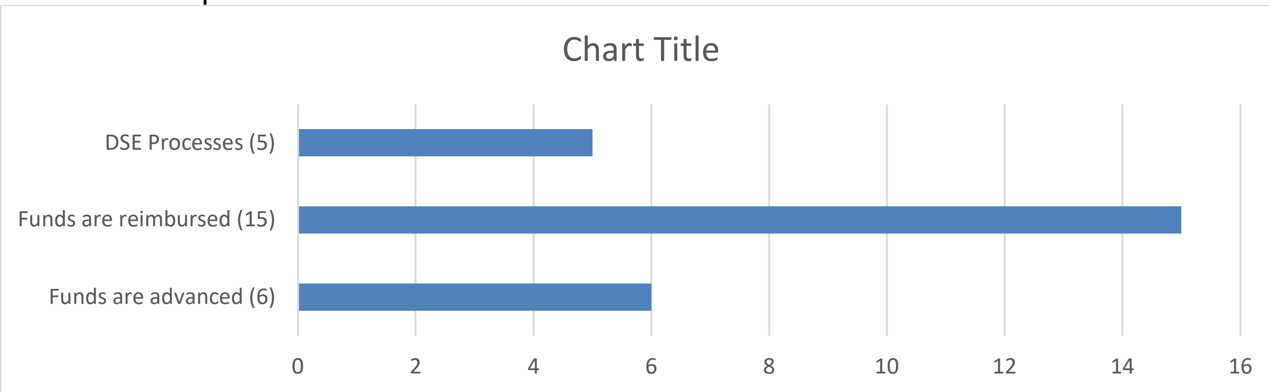
The current DSE director micro manages the SILC requesting not only finance information but all records.
SILC of Illinois has a board of director's who oversee our operations as well as a State Plan that ensures autonomy.
through EO and P&P manual
USILC is a 501(c)(3) nonprofit organization that was incorporated in 1995 following the revisions to the Rehabilitation Act of 1973, as amended in 1992.It is an autonomous body with control of its finances for which the DSE is the fiduciary agent. The SILC is awarded a budget amount from the DSE but creates its own organizational budget and line item allocations and makes its own decisions about expenditures. There are no voting members that are employees of the DSU or other state agencies. The placement of the SILC is not within the State's organizational structure and is located outside of State government.
The SILC maintains decision making authority over use of funds, recommendations of member appointments and general activities of the SILC.
autonomous body with control of own finances; SILC created own line item allocations and makes own decisions about expenditures. Members are appointed by Governor through Boards and Commissions office. SILC has process for recruiting, interviewing, and choosing members. DSE plays no part in membership or financial decisions other than ensuring compliance with State fiscal rules and the EO that established CO SILC. Per EO, SILC meetings are established and comply with Open Meetings Act. The CO SILC is a 501(c)(3) that functions as a fully autonomous entity. Funding for the SILC originates with the ACL, and those funds are granted to the SILC by the DSE. While the SILC has a very effective collaboration with the DSE and other state agencies, the SILC is recognized and operates as an independent entity with autonomy in its daily operations, development, and implementation of the SPIL and advocacy for IL issues for Coloradans with disabilities.

17. Does your SILC handle its own resources and pay its own bills?



A clear majority of respondents indicated the SILC (62%) or a fiscal agent (32%) handles SILC resources and pays the bills.

18. If yes, how is SILC funding processed from the DSE to the SILC, or the fiscal agent, to cover SILC expenses?

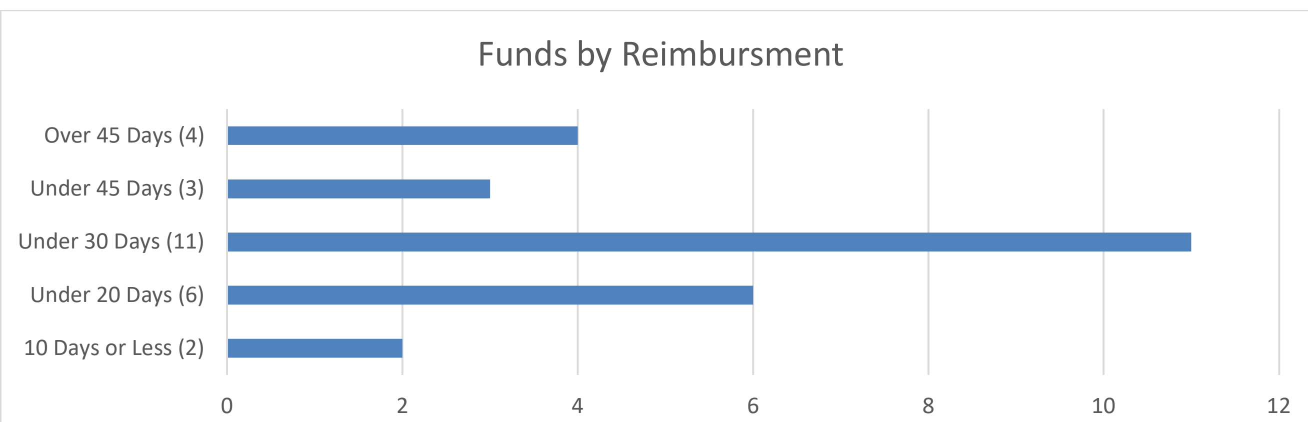


Of the 26 respondents, a majority (58%) indicated that funding is reimbursed to the SILC after it has been spent. This is only 44% of the total survey respondents. Six respondents indicated that funds are advanced to the SILC, 18% of the total respondents to the survey.

19. If advances of funds are provided, how frequently?

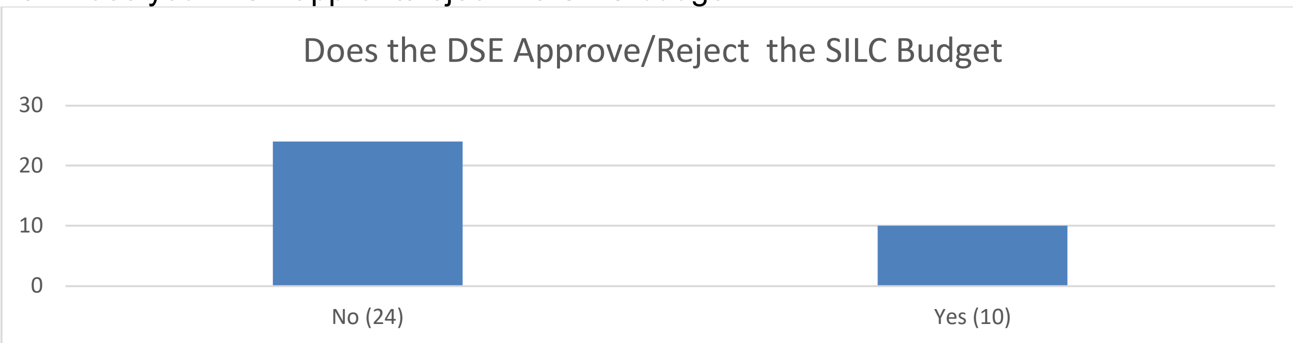
Of the six respondents receive funding advances, or have some option for an advance, three noted that they receive a quarterly advance and two receive monthly advances. Three additional responses indicated that there is an advance or an option of an advance at the beginning of the contract. These advances at the beginning of the contract may assist with cash flow for SILC operations.

20. If funds are provided by reimbursement, how long does it typically take to receive the reimbursement (from the end of the month being invoiced)?



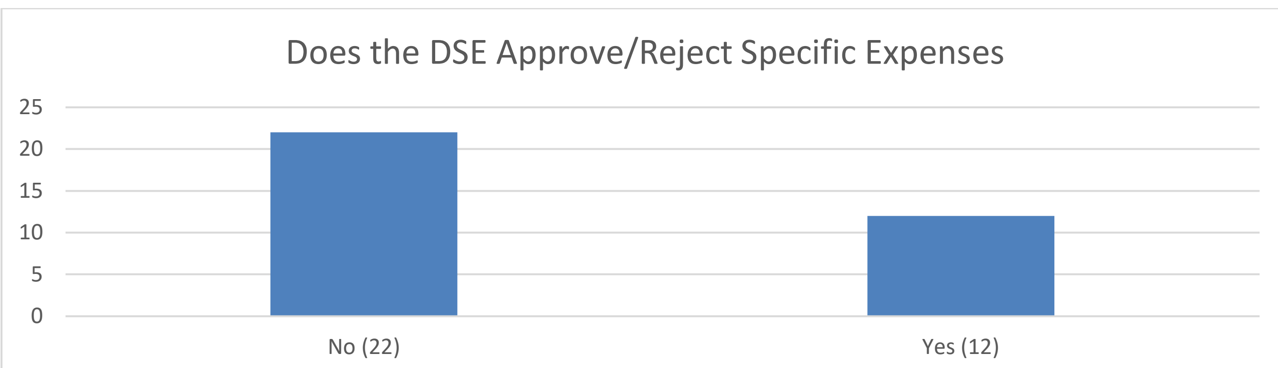
The respondents that receive reimbursements of expended funds were asked for the average time to receive payment from the DSE. The majority of the responses indicate that reimbursements take approximately a month to receive payments. This demonstrates potential issues in continuing operations for the SILCs. A month delay in payment for invoices submitted at the close of the month may result in a two-month or more delay in receiving the reimbursements of the expenses from the beginning of the invoice period.

28. Does your DSE approve/reject the SILC budget?



A majority of the respondents (70.6%) indicated that the DSE does not approve or reject the SILC budget, while 29% indicated that they do.

29. Does your DSE approve/reject specific SILC expenses?



Twelve respondents indicated the DSE can reject and/or approve specific SILC expenses.

30. Is any "prior approval" of SILC expenses required? If so, for what? By whom?

Many respondents indicated there is some level of prior approval from their DSE for certain types of expenses (such as out-of-state travel), limits on purchases over a specified amount, or policies that must be followed. Nine respondents indicated the SILC approves the budget and/or has to approve expenses above specific dollar amount thresholds or expenses not within the approved budget. Ten respondents indicated they must follow specific state requirements or state procurement policies.

Complete responses are listed below:

Is any prior approval of SILC expenses required? If so, for what? By whom?
Not if they are clearly outlined in the Uniform Guidance.
DSE Administrator for any contracts or subawards or out of State travel.
During the multi-year SILC contract process, the conceptual aspects are discussed (justification) more to make sure it doesn't get held up by reviewers at State Education Contract, the Office of State Comptroller and or Office of Budget. They can review any contract and request explanation for any one or combination of line items. They can force a change or eliminate an item.
Only as required by procurement guidelines. The SILC pays everything in accordance with established guidelines for appropriate accounting.
The DSE does sign off on expenses and out of state travel, but it is a formality. If the SILC has voted for the expense or it is one of their regular expenses, the DSE will sign off on it.
only for one time purchases over $5000, by the DSE
No, occasionally DSE may ask for clarification on a budget item. This is typically just to ensure allowability within VR and state rules.
SILC must go through the DSE for a professional technical contract for certain services or the DSE issues a state purchase order for certain SILC requested services
Any expenses not in the budget, require a ME SILC vote by members.
since DSE is our fiscal agent, we follow all fiscal practices required such as purchase orders, A-19's, etc.
Larger expenses, anything over $10,000 must go through the state office of contracts and procurements.
Out-of-state travel; approved by DSE
Yes, if we have a purchase expense over $5,000, we must bid out for it per the state regulations. We have to show IVRS financial staff the documentation for how we bid it out in order for the to approve the expense. This has never happened, but I know this is a rule.
Yes, in accordance with our financial policies. Approval may be needed from the Treasurer or full Council depending on the purchase amount.
A thing I've $5,000 boats approval.
If the SILC has any unused funding at the end of fy the DSE request notification to ensure it's an appropriate reimbursable expense. Any SILC expenses over $1,000. is approved by the council.
RSA used to require prior approval for all travel and other significant expenses - they have stopped requiring that
The DSE restricts and approves funds and if they don't approve the SILC council can't really do anything about it according to the DSE.
SILC of Illinois' board of directors approves an annual budget. Any expenses larger than $5,000 that is not in the budget must be approved by the board.
yes, in this order. Though GODA director, OCP director, Fiscal Director, Chef of staff for Governors office.
Equipment over $5000
Board members (Executive)

Generally the approval of the budget by the SILC membership reflects the "prior approval" of expenses. Small changes in the budget that do not meet the threshold for a new budget vote per SILC policies are reviewed by the finance committee and then shared at the next SILC meeting.
Yes- prior approval by Board chair for purchases made by Executive Director is required. This is to ensure ethical fiscal management by SILC.

31. Are restrictions placed on the use of SILC funds by others? By whom?

Many respondents indicated that specific restrictions were placed on SILC expenses. These include having to follow additional state travel requirements or other similar restrictions. Several SILCs also responded that certain contracts or equipment purchases, and reimbursements have additional restrictions from their state. Others referred only to compliance with Uniform Guidance.

Complete responses are listed below.

Are restrictions placed on the use of SILC funds by others? (i.e. out of state travel restrictions) and by whom?
No restrictions other than what is not allowable as an expense either federally or locally.
No restrictions have been imposed on the SILC or its budget. The Minority Women's Business Enterprise requirement is interpreted broadly by each state agency. Each cycle NYSILC has developed different plans based on different interpretations. This cycle, NYSILC asked for a partial waiver, still doing business with established vendors but not moving 30% of its budget to vendors when it has such a limited purpose to begin with. Intent is still met through this process.
Procurement guidelines still must be followed, but the DSE Commissioner does not reject any requests that are being made within budget and as approved by Council.
Not usually. We almost needed Governor's office approval for an IT purchase, but the DSE got around it.
yes, the DSE
State has restrictions on certain things. Purchasing of equipment to be billed based on depreciation, travel typically restricted but allowance made in SILC contract, travel rules limit to GSA for hotel and meals, state mileage rate is max allowed to reimburse if using their funds.
out of state travel restricted by state during COVID and restricted to specific states at all times
Again, no inherent restrictions but have to fill out proper paperwork for approval per state fiscal policy and protocol
Must be a current council member or staff or care attendant to travel on behalf of the SILC using SILC funds.
Out-of-state travel; must be approved by DSE

Yes. Our DSE does not allow us to go by the FEDERAL rates for mileage, meals, or hotel cost, and will only reimburse $10 for any award given out by the SILC. They say we must abide by the amounts allowed for these things that are in state law, even though we receive federal funding. For out of state travel to a conference, they do allow the cost of the hotel that is negotiated by the conference itself, and they have a list of levels for funding meals based on the city we are attending the conference in, so we have to abide by those meal rates for whatever city we are in for the conference.
No as long as it is related to the SPIL and IL Training. We follow the state and federal guidelines.
The SILC approves the travel and reasonable accommodations and all budget items are approved.
we have to follow the guidelines for regular state travel.
travel for council members using I&E funds
Costs for travel will follow State Travel Rules; This requires approvals through CDLE.

SILC Resources & Capacity

Every SILC has different sources of funding based on their state and the state's IL Network having the willingness and capacity to fund the SILC. The regulations and the DSE Assurances require that the SILC is provided with adequate resources to fulfill its duties and authorities, but that varies from state to state. A SILC's capacity to fully engage in their state will depend upon its capacity and resources. Since no specified designated source of funding is provided for in the Rehabilitation Act, SILC Resource Plans are often made up of a mixture of funds, all with potential restrictions.

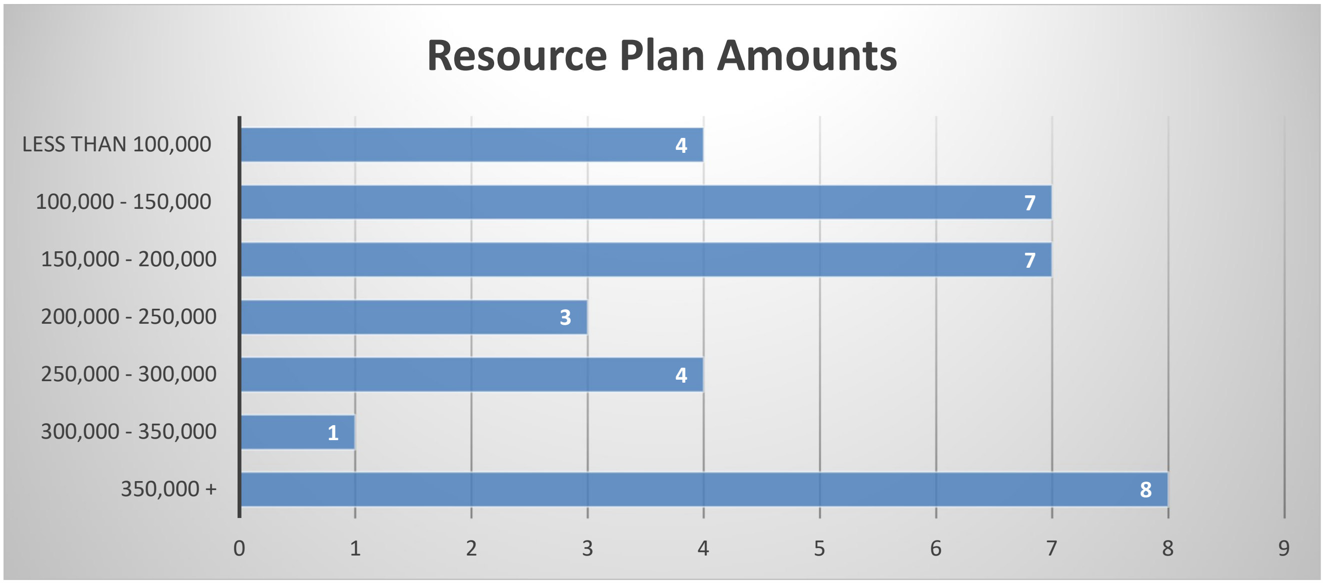
Typical sources of funding Include:

Title VII, Part B funding granted to the state for Independent Living; The SILC may utilize up to 30% of the funds without providing additional justification in the SPIL. This does not mean that the SILC automatically has access to the 30%. Since the uses of Title VII Part B funds are dictated by the SPIL, the CILs must agree on the uses and purpose of the funds. And the SPIL content should reflect input from consumers and the public. The SILC does not have the authority to unilaterally decide to take 30%. Seventeen respondents indicated the SILC resource plan includes Title VII, Part B funds.

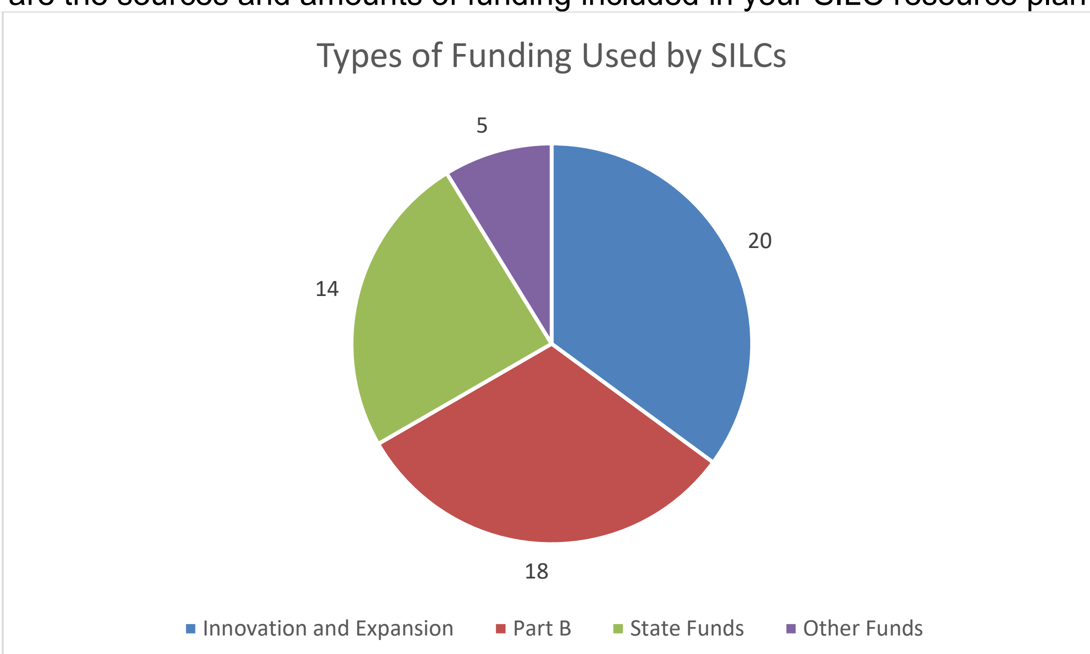
Title I, Innovation and Expansion funds. Title I funds are granted to the state for the Vocational Rehabilitation program operated by a designated state unit (DSU). Title I funds come from the US Department of Education and carry the requirements of that Department of Education as well as the DSU. In many states, the DSU also functions as the DSE for the Title VII, Part B funds. If the DSU is <u>not</u> the DSE, SILCs may have difficulty accessing these funds. Twenty respondents indicated the SILC resource plan includes Title I, I&E funds.

State General Revenue funds and other public and private funding sources may also be available for the SILC resource plan. These funds may have more or less restrictions. A SILC may have multiple sets of restrictions to follow based on the funding sources that are put together just for the core operation of the SILC. Fourteen respondents indicated the SILC resource plan includes State General Revenue funds. And nine respondents indicated that the SILC resource plan includes other sources of funding.

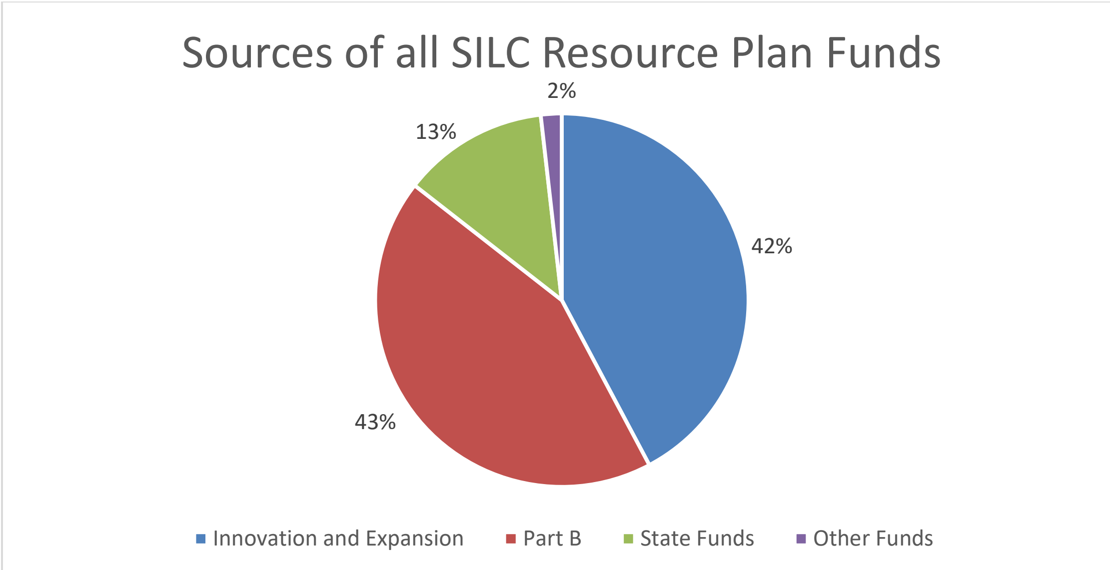
5. What is the total amount of your SILC resource plan?



6. What are the sources and amounts of funding included in your SILC resource plan?

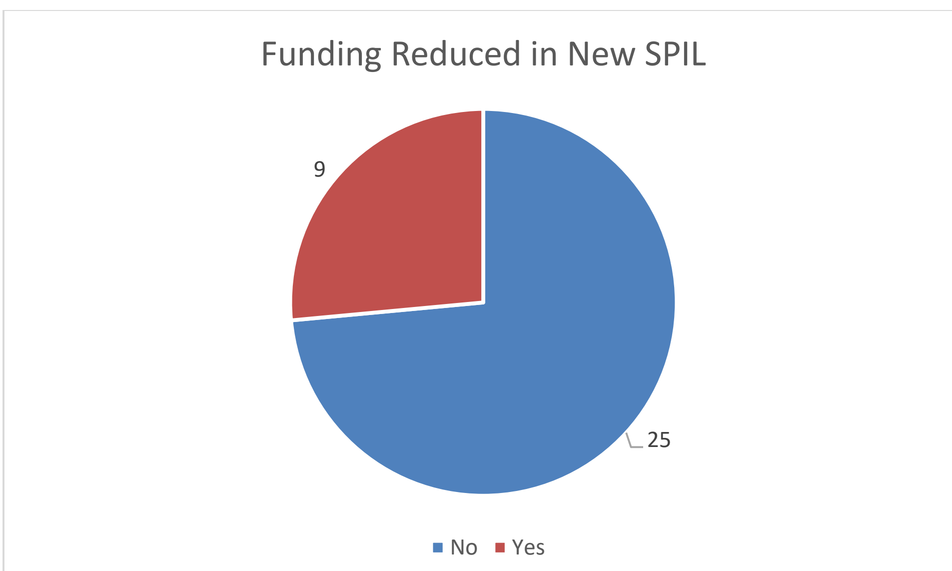


A majority of the respondent’s resource plans include Title I, Innovation and Expansion funds. The next most frequent source of funds was Title VII, Part B funds, followed by State General Funds.



The total amounts of funding from each source, from all respondents, were combined to create the chart above. Most notable, 43% of all funding for SILCs that responded is Title I, Innovation and Expansion funds, and 42% is Title VII, Part B funds.

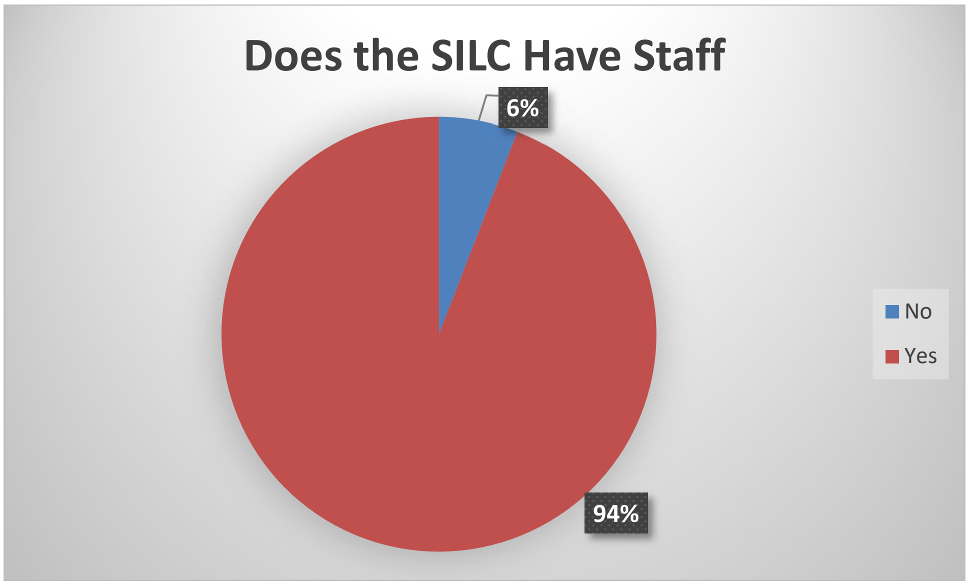
7. Has SILC funding been reduced in the new SPIL?



Nine respondents (26%) indicated that the amount of funding in their SILC resource plan will be reduced over the next three years. Twenty-five (74%) indicated that no reductions are planned.

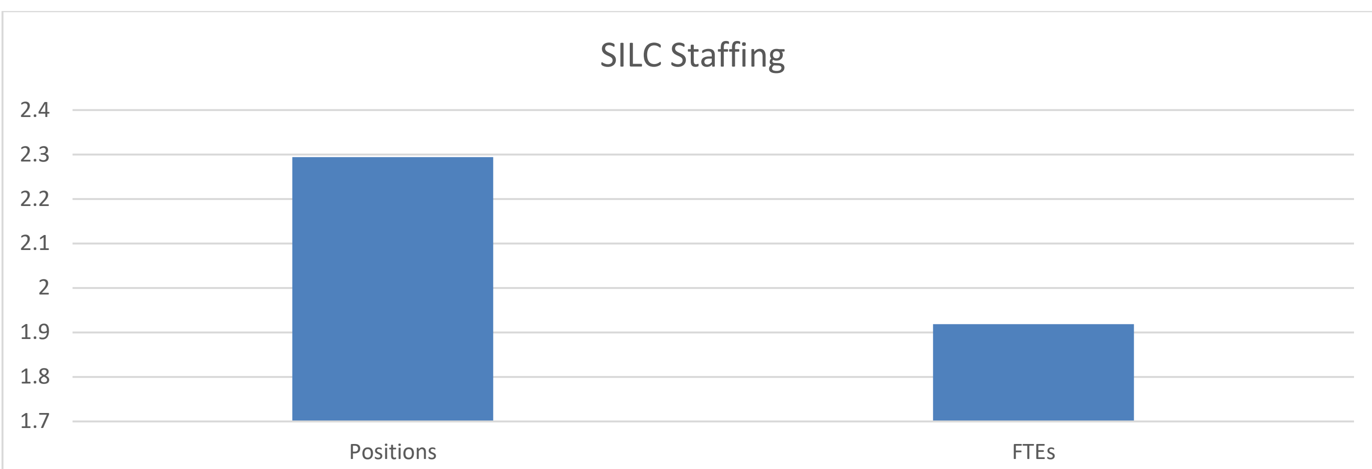
Capacity of the SILC includes adequate staffing to perform required duties, and elected authorities.

10. Does your SILC have its own staff?



Having dedicated staff that is not staff of the DSE is a sign of both the autonomy and the capacity of the SILC. Most of the SILCs that responded do have staff.

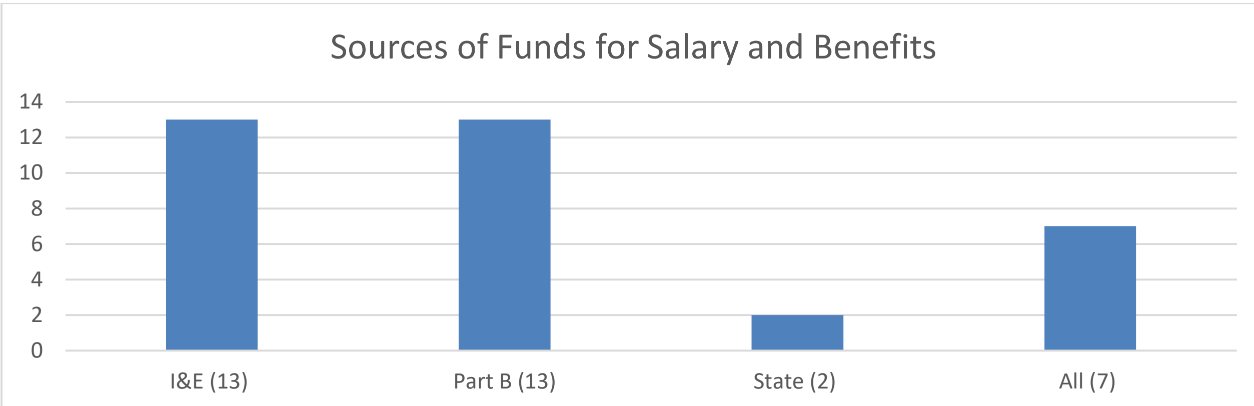
11. How many staff positions does your SILC have?



Of the SILCs responding that have staff, the number of positions as well as the amount of full-time equivalent staff were provided. On average, the SILCs responding have just over two staff positions at their SILC. The highest number of positions reported was six and the lowest was one part-time.

While the average number of positions reported is over two, the average full-time equitant (FTE) staffing is under two. Therefore, it is more common for SILCs to have part-time staff.

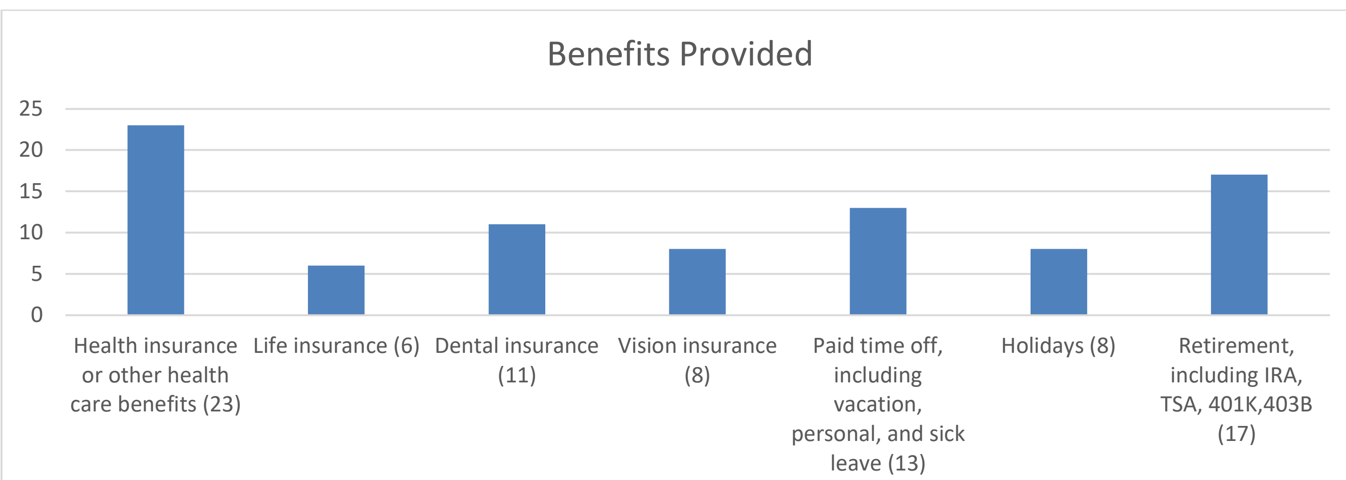
8. Which source of funds is used to cover staff salaries & benefits?



The funding of salary and benefits is similar to the overall sources of funds to SILCs. Most of the SILCs are utilizing federal Innovation and Expansion funds and Part B funds to support the costs of staffing.

26. What benefits are provided to SILC staff?

Benefits are an important factor in recruiting and hiring qualified staff.



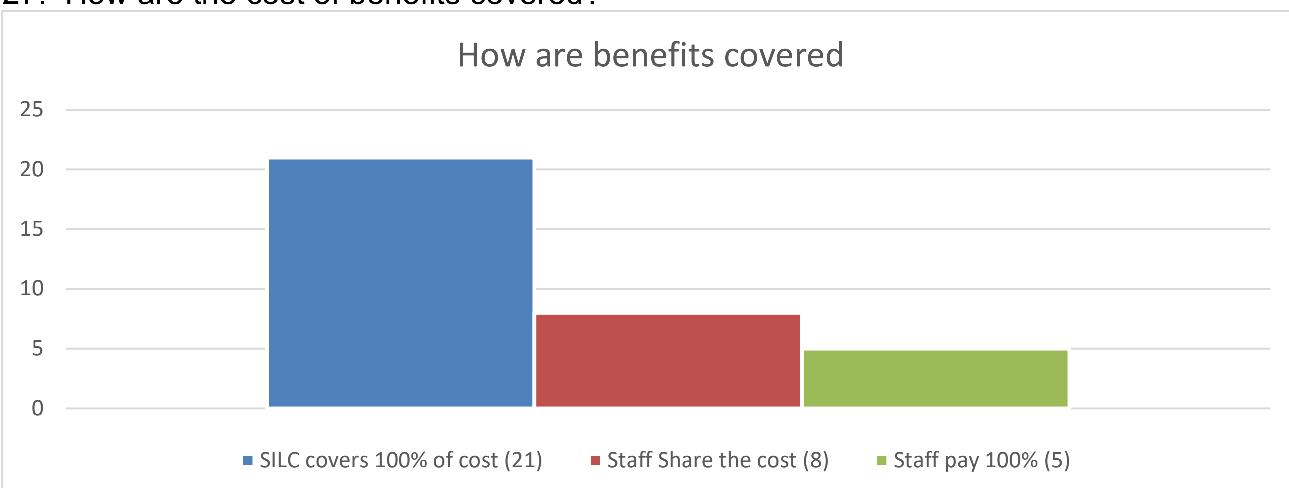
Complete responses are below:

What benefits are provided to SILC staff?
Health, dental, life

State employee benefits: earned, paid time off, FMLA, paid holidays, medical and dental, retirement.
Health/dental/vision Parking SIMPLE IRA
State benefits: leave, short term disability, long term disability, health plan, state retirement.
Paid vacation, sick, holidays, 403B match
Health insurance, vision insurance, long and short term disability, health savings account, PTO/Sick time
benefits offered by the state----medical, dental, vision, 401k
Pro-rated sick leave, vacation, paid holidays
Health care, PERSI, Personal and sick leave
holidays and vacation time for Executive Director
$4000.00/reimbursement for insurance/co-pays
dental, vision, medical, pension, long/short term disability, 401K, EEAP
Salary, Medical/dental insurance, retirement
Health, Dental, and Eye Insurance 401k (org contributes up to 3% of salary)
The SILC pays for the cost of the health, dental, and vision insurance directly to the ED as an added part of salary, listed separately from the regular salary as a "Benefit Allowance", as the ED has insurance through her significant other and must reimburse him for the cost of this insurance. They pay the insurance monthly premium plus both the ED and SILC portion of FICA on the insurance, plus the ED federal and state taxes on the total insurance amount. The SILC pays 3% of the ED salary into retirement for the ED. This amount is taken directly out of the SILC checking account monthly by the SILC ED's retirement broker. In terms of other benefits, the ED gets 2 personal days per year that must be used during the year (year based on date of hire of the ED); one sick day accrues per month, and all sick days can be carried over from year to year; 4 weeks of vacation days per year, and only 10 days of vacation can be carried over to the next year, so vacation must be used or lost.
Life Insurance, IRA and work phones
- Monthly stipend that can be used to cover any healthcare costs/premiums - Monthly cell phone reimbursement - Mileage reimbursement - 15 paid holidays - Generous PTO (minimum 3 weeks/15 business days for FT, more with seniority) - Flexible work schedule
A $750 Waiver Bonus after being employed for 30 days. Medical insurance premiums became too high to provide health benefits.
Health insurance, PTO, life insurance, Health Savings Account contribution, 403(b) contribution,
Insurance Retirement To director
Benefits include employer paid healthcare 100%, dental 100%, Life Insurance policy options, and Employer pay 6% 401k benefit.
Health benefit, retirement benefit
Leave: Annual, Sick, Paid Family and Medical, Holiday, Bereavement, Military, Administrative, Non-Paid, Jury Duty. Employer sponsored Medical and Life Insurance Optional Employee paid Dental and Vision Retirement (Simple IRA)

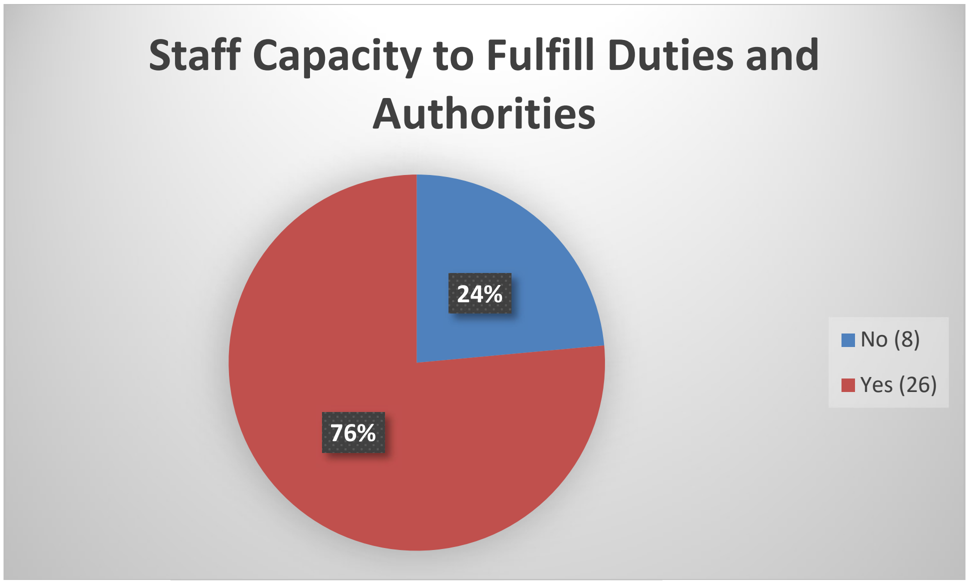
- Annual Leave - Sick Leave - Health Insurance (100% of premium) - life insurance ($10,000 comes with health ins) - 5% of salary put in a Tax Sheltered Annuity for retirement - Disability Insurance - holidays (all state holidays)
The ED has retirement and medical. The Administrative assistant decline medical and has no retirement. There are sick days and holidays which follow the State calendar with most holidays.
Paid vacation and sick time. Health, dental, vision, life insurance. Short and Long term disability insurance.
regular state employee group benefits.
Health Insurance/stipend Retirement Dental vacation leave holiday pay sick leave
MASILC has a independent contractor as the coordinator. No benefits are provided.
medical health stipend

27. How are the cost of benefits covered?



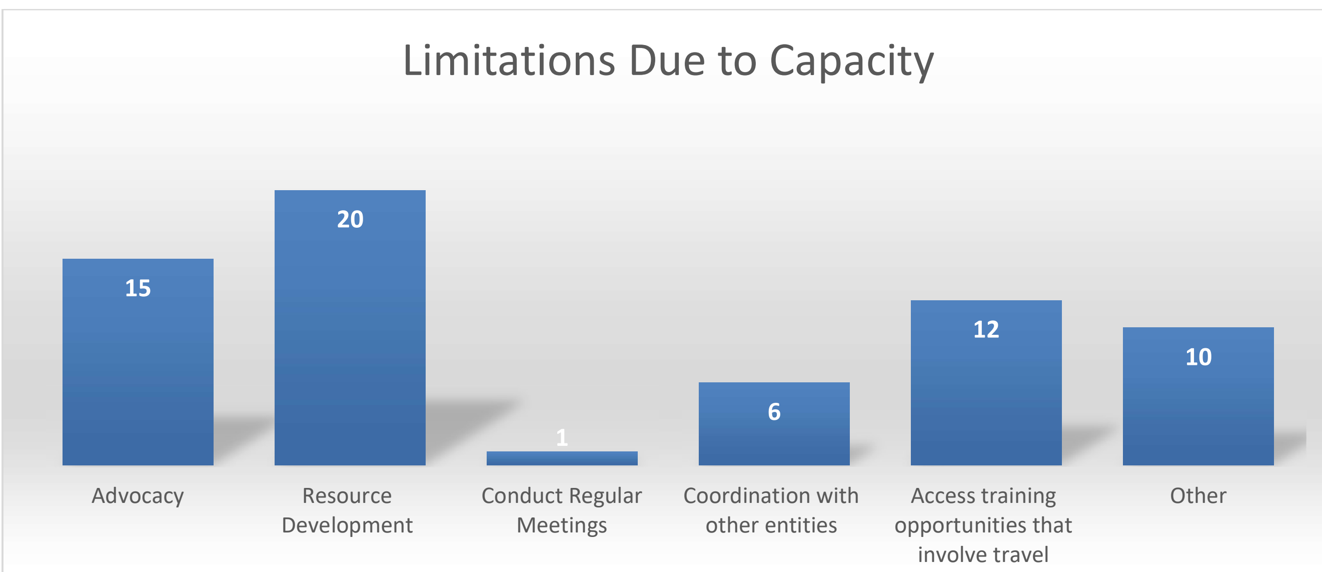
A majority of respondents indicated that the SILC covers 100% of the cost of benefits, some require that employees share the cost, and only five respondents indicated that staff must pay 100% of the cost of benefits.

12. Does your SILC have the staff capacity to fulfill all your Duties & Authorities?



A majority of respondents indicated the SILC has the staff capacity to fulfill SILC duties and authorities.

13. Are you limited in your ability to do any of the following due to budget or capacity issues?



Twenty-nine respondents indicated they do lack capacity to engage in some activities and authorities. The most common responses were lack of capacity to conduct Resource Development (20) and Advocacy (15).

The next area limited by SILC capacity is access to training opportunities that include travel. This reduces opportunities for individuals to learn more about their responsibilities and meet peers from other states, both of which are important to SILC effectiveness and for the development of Independent Living leaders in the state.

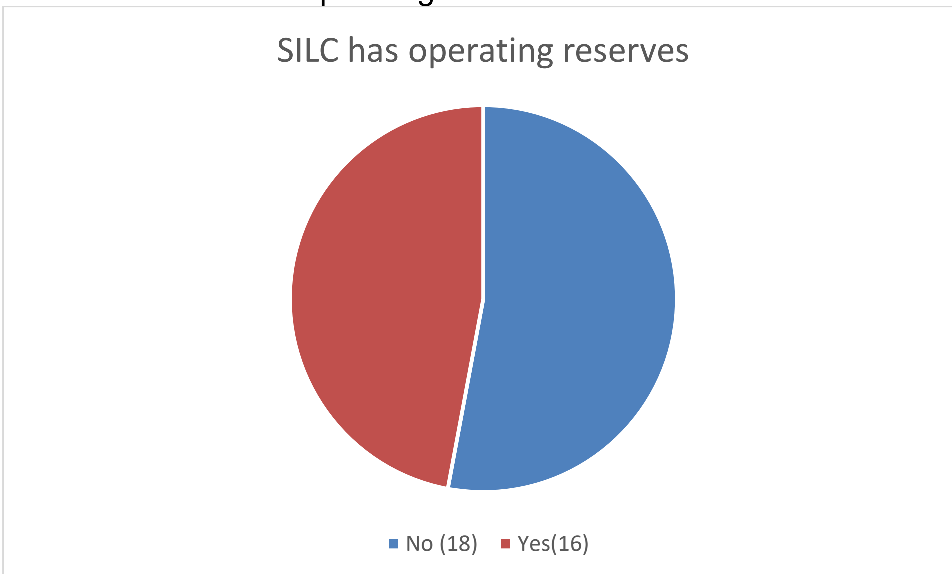
21. Do you regularly have cash flow issues that impact your operations?

The majority of respondents (19) indicated the SILC does not have cash flow issues, but others do or have had. Six have currently, six have previously, and two have potentially. The survey asked respondents to explain what issues arise for their SILC when there are issues with cash flow. Complete responses are below:

Do you regularly have cash flow issues that impact your operations? Please explain.
DSE fiscal frequently posts charges to incorrect expense categories and this needs to be reconciled regularly. This is difficult due to fiscal being so far removed from this type of fiscal arrangement.
Only if we run into processing issue at the DSEs end, or the state is having a fiscal problem. We have a line of credit to assist us through the delay and a savings built up if needed.
Part B award trickles in from ACL, often requiring large amounts to be advanced by DSE.
No, the DSE reimburses the fiscal agent in a timely manner. Invoices that are directly paid by the DSE are paid within 30 days.
Yes, if we did not have a CIL with deep pockets to "loan" us, we would have a serious operational issues.
Sometimes at start of federal fiscal year. Even though I submit our contract, budget, and request for the Capital Advance in AUGUST, the Capital Advance funds are often not placed in the SILC checking account until mid to late October.
Not any more since we went through long, drawn out contract negotiations with our DSE. Our new terms, budget, advances, payment set-up, etc. with the DSE has been life-changing and the entire process has not only easier and been great for our cash flow, it has made things much easier for our DSE, as well.
We would have serious cash flow issues if we did not have administrative fees from grants.
We did before covid
No, because we rely on the small amount of grass roots balance to sustain us through. Note the $15,000.00 difference in the SILC resource plan will be made available to the Council to cover the cost of compensated accrued leave as necessary by the DSE. This money is not accessible to the SILC and only through the DSE.
we have had issues in the past but those have been resolved and advances are received in a timely manner
Contract signing is often late due to accommodation issues and other reasons. The SILC staff are required to work even if the funds are not available and the reimbursement method often leaves the SILC short to pay staff and expenses.
Rarely

State processes for procurement can be cumbersome and slow, especially while transition to nonprofit. This is not a cash flow issue per se but is difficult when needing faster access to certain necessary items.

22. Does your SILC have reserve operating funds?

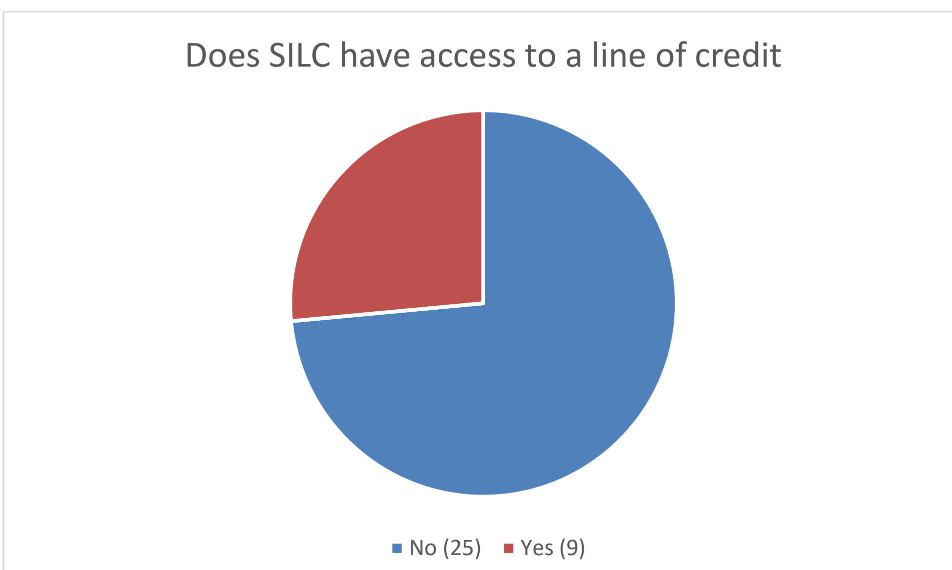


A majority of SILCs that responded do not have any operating funds that can be utilized in times of limited cash flow.

23. If yes, how many months can you operate on reserves?

SILCs that have operating reserves were asked how many months they can operate on their reserve funds. The average of the responses was 3.8 months.

24. Does your SILC have a line of credit?



Of those responding to the survey, only nine currently have access to a line of credit.

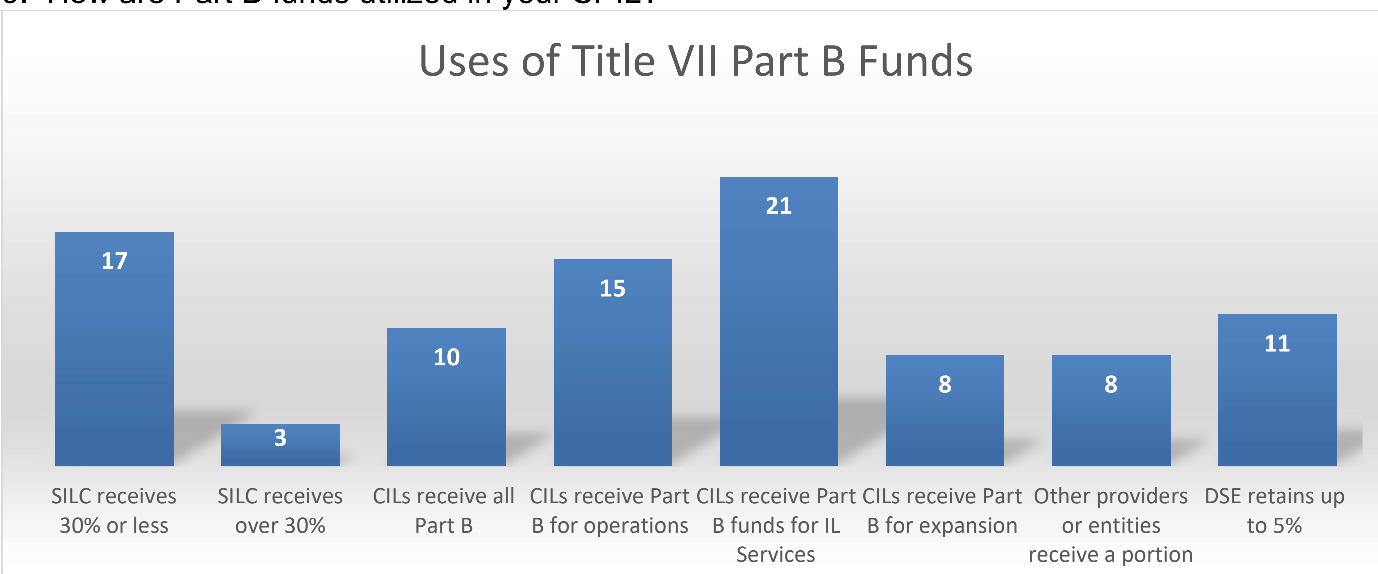
25. If yes, how many months of operations will the line of credit cover?

Based on the responses received, the average amount of time the SILC could operate on their line of credit was 1.3 months.

State IL Network

A strong IL Network must include a strong SILC as well as a strong network of CILs available to all individuals with disabilities in the state.

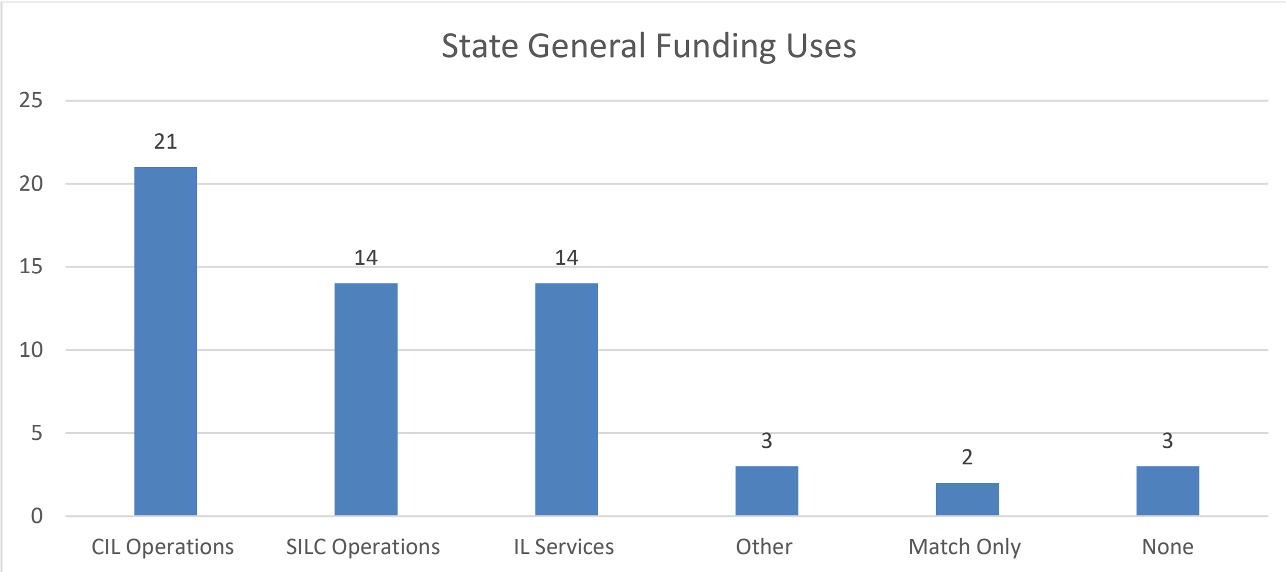
9. How are Part B funds utilized in your SPIL?



A majority of the responses indicate that CILs are receiving part B funds for IL services and operations, with 10 of those state stating that all of the available Part B funds are going to the CILs.
Twenty of the respondents indicated the SILC receives some portion of the Part B funds, with three receiving over 30% of the state’s allocation. A majority (17) of the SILC that receive Part B funds receive less than 30%.

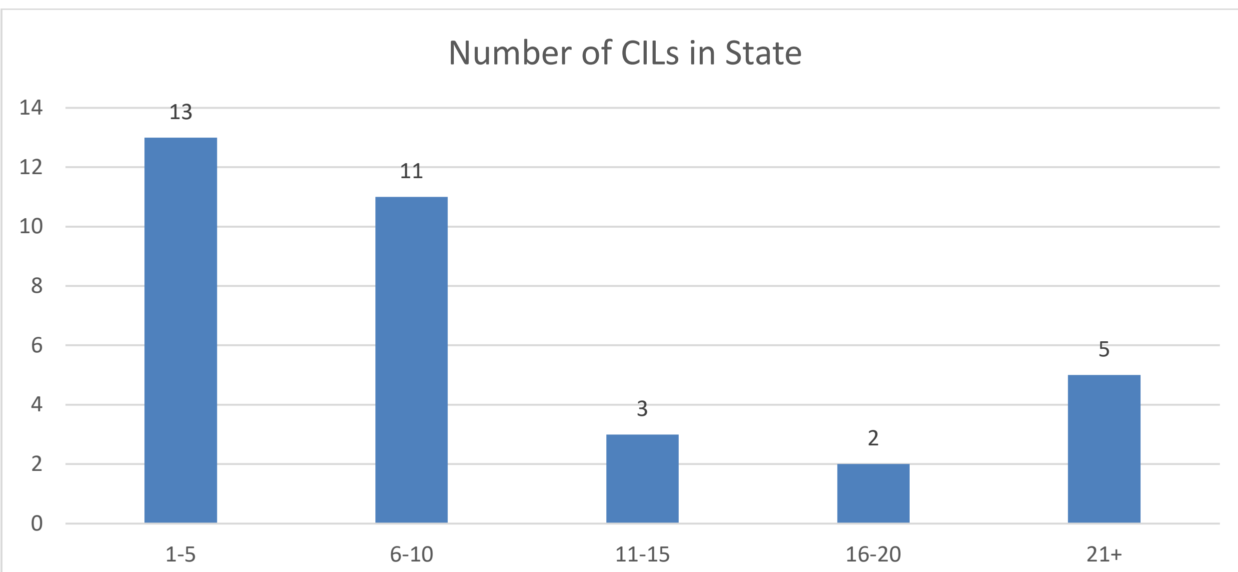
Eight respondents indicated that entities other that the CILs or the DSE are receiving a portion of the Part B funding to provide services and 11 of the DSEs utilize Part B funds for administrative cost associated to their role as DSE.

32. Are any state general funds provided for Independent Living?



Three respondents indicated that no state funds are provided for Independent Living. A majority of those that have state funding indicated that the funds go toward the operation of CILs. An equal number responded that funds are used for both SILC operations and IL services.

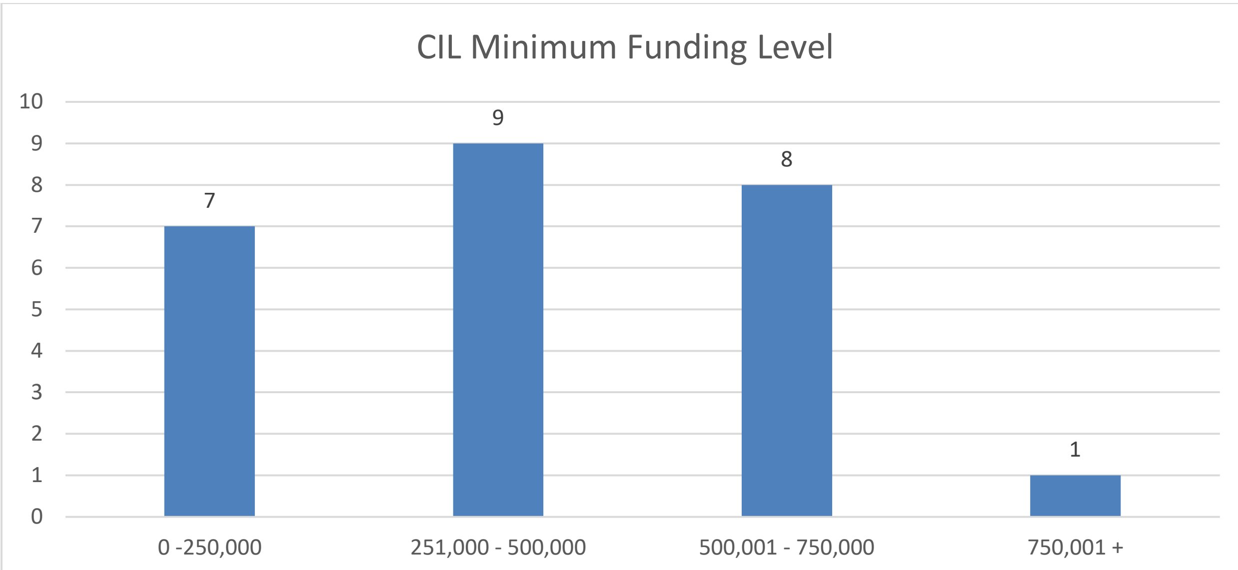
33. How many CILs are there in your state?



The overall capacity of the network depends partially on the number of CILs in the state. While it is difficult to compare all states due to the differences in population, geography, and funding, it is still important in the CIL/SILC relationship to understand how many CILs are in the network.

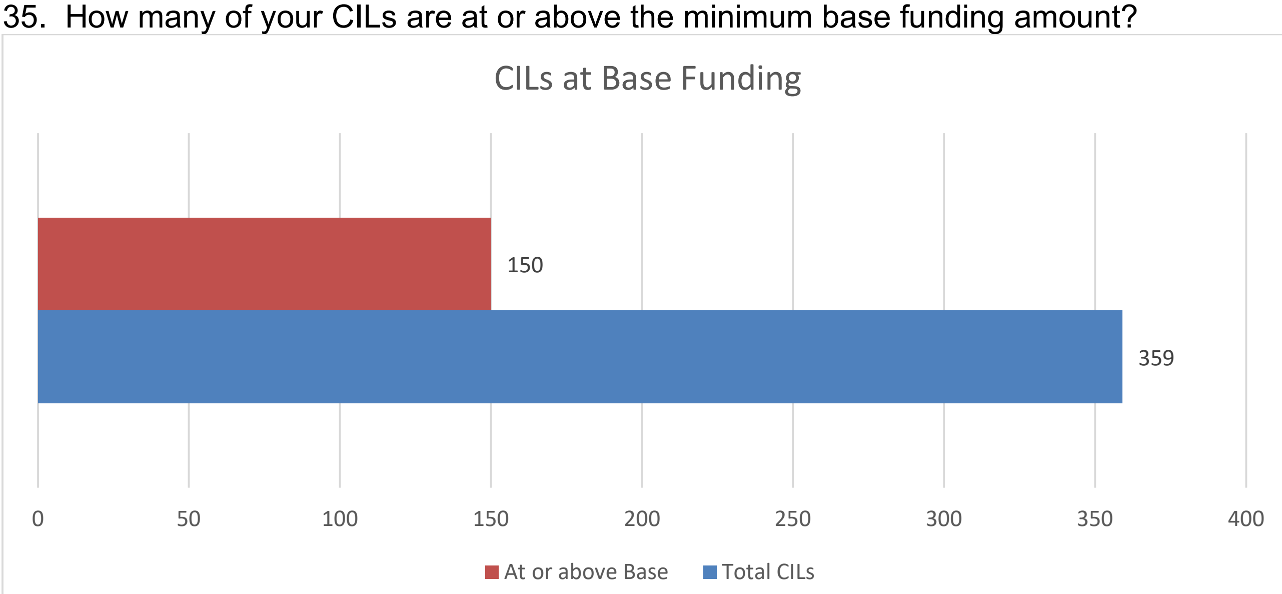
The highest grouping in the responses (13) was that the network consists of five or less CILs. The next highest (11) was six to ten CILs. Far less states have greater than 10 CILs, but interestingly there are an equal number of states that have between 11 and 20 CILs as there are states with over 21 CILs.

34. Does your SPIL have a minimum base funding level for CILs? What is the amount?



Twenty-four respondents provided the amount of their established minimum funding level for a CIL. Seven respondents said there was no minimum funding level or that they were not sure. The majority of respondents indicated the minimum funding level for a CIL ranges from $250,000 to $500,000.

35. How many of your CILs are at or above the minimum base funding amount?



Of the combined total of CILs provided by respondents, 150 CILs are currently at the minimum funding level (42%) established in the SPIL.

Other Relevant Issues

36. What other relevant issues or information do you have to share about your SILC?

Complete responses are below:

What other relevant issues or information do you have to share about your SILC?
The structure should be either more like that of the IDD Council or should be completely independent of the State. Funding should go directly to the SILC or the SILC will always have to maintain State sub-awardee standards. This will always be a conflict between the SILC and the DSE.
exploring whether would be better for SILC to be nonprofit vs state agency. ILCs are looking at funding formula to ensure greater equity among CILS in the state. CILS who do not receive minimum funding are supplemented using VIIB dollars for "Tier Augmentation" Grants through SPIL
We have a good relationship with the DSE. They do not tell us how to spend our money. They may council us on federal and/or state restrictions pertaining to advertising
Should our funding be significantly reduced, we will face staff layoffs and reduced activity. We currently house technical assistance for people wishing to open ABLE savings accounts in other state programs (Idaho doesn't have a program). This activity is not in the SPIL and is funded under state general funds. Our program specialist is entirely funded through SGF. The PS provides statewide emergency planning/response activities and financial literacy education. Recent reductions in SGF due to COVID-19 economic fallout have thus far been absorbed by travel that is not happening due to the health emergency. Given Idaho's fiscal conservancy, we don't anticipate getting back to previous funding levels after the economic/health emergency passes.
The SILC has had ongoing issues getting applications for Council members approved by the Governor in a timely manner.
Not sure if this is applicable, but we have to categorize our funds into specific budget categories and must get DSE approval before moving funds. They do not allow a variance of spending among budget categories, leaving it impossible to budget our expenses to the penny. To expand on question #13 &14: Our staff size and our ability to do some advocacy and resource development is directly impacted by the other projects we have secured that help reduce operational costs and expenses that would typically be charged 100% to our base resource plan.
As a one-person operation, doing the financials is a very time consuming task. I have to wear all the hats. We do have a payroll company for payroll, and I am looking to contract with a company to start doing our financials to free up my time. The problem is, I still have to oversee the financials to be sure they are being done correctly, so not even sure how much time it will save to have help. Ugh.
Facing devastating cuts to both CILs and the SILC, layoffs due to state budget cuts.

By FFY2022, the SILC will be funded by 100% State GF. This lack of diverse funding sources places us in a very vulnerable situation.
No resident at this time New commissioner does not truly understand process
The SILC has established a successful IL Network communications that was effective during the recent Pandemic. 5 Communication boxes were created to distribute to the CILs, as learned in Hurricane Michael. The SILC holds daily IL Network calls so the CILs can work together on solutions. The SILC holds the daily calls from the EOC during the beginning of a natural disaster then transferred position to CIL representatives. All MOU's are enacted and communications entered into the State dashboard. The CILs were acknowledged as essential partners by the Governor during the Pandemic. The number one challenge of the this SILC are the Appointments.
We have other projects that allow us enough funding for our 3 staff positions to be full time - the accountant is part-time, unscheduled
The SILC has been restrained by the current DSE director which effects both CILs, SILC and SILC staff. There seems to be no guidelines that the DSE can provide to the SILC or CIL Executive Directors when the DSE requests to see records from the SILC or one of the CILs. Working with the current DSE staff is challenging to say the least.
Newly appointed board members and DSE is working to orient the members.
State follows a funding formula to allocate Part B funds with a match of 14.62% of Part B Funds to the SILC.

CONCLUSIONS

SILC autonomy is a vital part of a strong SILC within a state. In situations where autonomy is infringed upon, the state or DSE may influence, dictate, or control the functions of the SILC, SPIL, or of the IL Network. When autonomy of the SILC is in question, the individuals that are appointed to represent themselves and all individuals with significant disabilities lose the ability to fulfill their duties as a member of the SILC.

There were three responses that utilize state office space, and while that is not a violation of autonomy, if the SILC was not allowed to turn down the office space it could impact the autonomy.

Any independent organization should have the ability and authority to hire, fire, evaluate, and supervise its own staffing. When a SILC has DSE involvement in the supervision of staff, it can create a direct interference with the SILC's autonomy. As noted in the results of the survey, the overwhelming majority (82%) identified that the SILC members in some manner, the SILC Chair (4%) or the SILC Executive Committee (38%), were the supervisors of the SILC Executive Director.

Two respondents indicated the DSE is involved in the supervision of the SILC Executive Director. One respondent indicated the DSE was involved in the supervision of additional SILC staff. This may indicate that the DSE is more heavily involved in SILC operations which could impair the autonomy SILCs are required to have.

The ability to control the day-to-day operations of the SILC is critical to SILC autonomy. This includes whether the SILC is handling its own resources and bills, making the decision to have a fiscal agent, or whether the DSE has control of the resources. If the DSE is in control of the resources, they may be making the financial and budget decisions of the SILC, which would violate the DSE assurances that the DSE will not interfere with the SILC budget.

As noted in the chart for question 18, the majority of SILCs are operating on a reimbursement model with their DSE/State. While this is a common practice in grant funding, since the SILCs do not receive direct funding under the Rehabilitation Act, this can create major operational issues for the SILC.

Examples of operational issues that can occur are lack of available cash flow at the beginning of a grant year to pay staff, vendors, or bills. Travel may be limited because the cost of the travel to a conference or training may be a large expense that will need payment before the reimbursement from the DSE can occur, limiting training opportunity for SILC Members.

Delays in reimbursements, even those that operate with a month delay in payment, can be a barrier to the SILC to operating efficiently and effectively. It may restrict the effectiveness of the SILC because they are unable to pursue the activities and authorities that the SILC determines necessary to fulfill their duties and accomplish their goals.

The financial operation of the SILC was a common response as an indicator of SILC autonomy. Ten respondents indicated that the DSE does approve or reject the SILC's budget. This is a clear issue affecting SILC autonomy. If the DSE has the authority to fully approve and reject the SILC budget, the SILC is not the primary entity in control of their own budget. Decision making power rests with the DSE, and not the individuals with significant disabilities that make up the majority of the voting membership of the SILC.

Another question was asked in the survey about the approval or rejection of specific expenses in the budget of the SILC. The responses included 12 SILCs that have the situation where the DSE can reject and approve specific expenses. The ability of the DSE to reject and/or approve specific SILC expenses, which 12 respondents indicated, can violate SILC autonomy. It may be a financial oversight issue if the DSE is only rejecting expenses because of allowability of cost due to the funding restrictions, which is less of an issue of autonomy. If the DSE is making broad decisions such as not allowing travel to trainings and conferences in general, it is interfering with the SILC's autonomy. It would be helpful to establish guidelines for the DSE's authority regarding expenses up front so the autonomy of the SILC is protected and the SILC can make informed decisions before incurring expenses.

Prior approval and procurement requirements often exist because the SILC is a sub-awardee of funds. As long as there is no designated funding is provided directly to SILCs, there will always be additional restrictions and provisions that are placed on the SILC by other entities.

Due to the nature of funding for SILCs, the difference in funding ranges is significant. The budgets are not based on factors like population like other programs. Half of the SILCs that responded have less than $200,000 to operate. This includes having dedicated staff, holding meetings, travel, attending training, and the cost associated with the development and monitoring of the SPIL. An important note to this is that this was just of the SILCs that responded. The remaining SILCs that didn't respond, a large majority would be well under $200,000 based on previous information released by the Administration on Community Living about SILC Resource Plans.

Whether a SILC has its own staffing comes down to available financial resources. If the SILC does not have the ability to compensate someone for the work to be completed, they will not be able to have the staffing necessary for the SILC to fulfill their duties and authorities. SILCs that have never had the capacity to hire their own staff may lack in capacity in many areas.

This further shows the disparity that exists in the SILCs that do not any staff. The increased capacity of two positions can lead to increased efficiency in the SILC duties and expanded ability to engage in the SILC authorities.

It may be concluded that having part-time employees is typically due to the inability to cover the costs associated with staffing, including the cost of benefits such as health insurance. If SILCs want to secure individuals with disabilities as staff, adequate health care benefits are critical and a majority of the respondents indicated that some benefits, including health insurance, are provided. SILCs need to have the capacity to offer quality benefits in order to retain high quality staff.

In the survey, SILCs were asked to respond to questions relating to their capacity to perform their duties and authorities. The first questions asked whether the SILC currently has the capacity to fulfil their duties and authorities. 24% responded that they do not have the capacity to do so. This percentage could potentially be significantly higher if all SILCs had responded to the survey.

As SILCs have begun to engage more in Resource Development and Advocacy efforts, it has become clear that both are vital components to growing the SILC and Independent Living in the state.

Any organization benefits when it has the capacity of operating reserves. With the nature of funding to SILCs, it is not as common to have funding that allows for the retaining of operating funds. This creates potential major issues in the capacity of SILC to operate. When an organization doesn't have access to operating reserves, securing a line of credit could be an option to fill the gap in funding to operate.

Both questions about the operating reserves and the line of credit highlight that many SILCs are operating with limited access to any additional funds. The impact of this is that SILCs may not have the capacity to fulfill their duties and authorities if one payment from the DSE is delayed.

Other relevant issues shared by respondents lead to the following conclusions:

- Designated and direct funding for SILCs could eliminate conflicts with the DSE and increase the autonomy of the SILCs.
- Many SILCs have secured other activities and responsibilities that bring additional funding to the SILC budget and reduce operating costs covered by the SILC resource plan.
- A critical issue is securing Governor appointment of SILC members in a timely manner.
- Budget cuts and lack of diversified funding create SILC vulnerability.
- SILCs that have experienced cuts do not anticipate the ability to restore previous funding levels.