

SILC Needs Assessment 2015

Introduction

There are thirteen major changes in the Rehabilitation Act affecting the SILC. These changes came about due to the passage of WIOA. ILRU and IL-NET are identifying anticipated technical assistance and training needs for the coming year. The actual language from the Rehabilitation Act as revised is provided first, with a question about training and technical assistance after each section. Since regulations have not yet been written, we understand that SILC needs will be defined more specifically as things progress. Your answers to this survey will be extremely helpful, however, in identifying priorities. The Roman numerals at the start of each section are for numbering purposes only and are not part of the law. We welcome your feedback and appreciate your time.

I. SEC. 704. STATE PLAN.

Sec. 704 (a)(2) Joint development.—The plan under paragraph (1) shall be jointly—

(A) developed by the chairperson of the Statewide Independent Living Council and the directors of the centers for independent living in the State, after receiving public input from individuals with disabilities through the State; and

(B) signed by-

(i) the chairperson of the Statewide Independent Living Council, acting on behalf of and at the direction of the Council;

(ii) the director of the designated State entity described in subsection (c); and

(iii) not less than 51 percent of the directors of the centers for independent living in the State.

A. What technical assistance or training is needed in your state in order for this newly defined joint development and signing of the plan, with 51% of the directors of CILs signing, to proceed smoothly?

- Strategies for strengthening collaboration with CILs
- Strategies for transitioning from joint development with the DSU to joint development with the CILs
- The full Council's role in the development and approval of the SPIL
- Approaches for working with the Designated State Entity who is no longer required to jointly develop the SPIL, but now is required to sign the SPIL only as agreement that they will serve as and fulfill the defined duties of the DSE
- Other _____
- No training or TA will be needed

II. **Sec. 704 (a)(3) PERIODIC REVIEW AND REVISION—...appropriately address, on a statewide and comprehensive basis, needs in the State for—**

- (A) the provision of independent living services in the State;
- (B) the development and support of a statewide network of centers for independent living; and
- (C) working relationships and collaboration between—
 - (i) centers for independent living; and
 - (I) entities carrying out programs that provide independent living services, including those serving older individuals;
 - (II) other community-based organizations that provide or coordinate the provision of housing, transportation, employment, information and referral assistance, services, and supports for individuals with significant disabilities; and
 - (III) entities carrying out other programs providing services for individuals with disabilities.

B. What training or TA would be of assistance to your SILC as you consider the Periodic Review and Revision section of the law?

- How to identify needs on a statewide and comprehensive basis for independent living services
- Developing and supporting a statewide network of CILs
- Identifying the entities that are relevant for collaboration for your state's SPIL
- Strategies for collaborating with other entities for purposes of the SPIL
- Other _____
- No training or TA will be needed

III. **Sec. 704 (a) (5) STATEWIDENESS. (b) Statewide Independent Living Council.**—The plan shall provide for the establishment of a Statewide Independent Living Council in accordance with section 705, as well as a plan for funding the administrative costs of the Council.

C. What training or technical assistance may be needed in your state to implement the Statewideness part of the law?

- Options for the establishment of the SILC – i.e. legislation, executive order, etc.
- Developing a plan for funding administrative costs
- Sources of funds that may be used to support the SILC resource plan
- Other _____

- No training or TA will be needed

IV. **Sec. 704 (c) Designation of State Entity.** The plan shall designate a State entity of such State (referred to in this title as the ‘designated State entity’) 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;

D. What areas of training and technical assistance do you anticipate will be needed by your SILC concerning the Designation of State Entity part of the law?

- Implementing more autonomy by the SILC
- Roles and duties of the Designated State Entity
- Identifying entities that are eligible to be the DSE
- Strategies for selecting and securing a DSE
- DSE vs. DSU – understanding the difference
- Weighing the pros and cons of designating a Designated State Entity that is different from your current DSU to receive and distribute your funds
- Potential implications of choosing a DSE other than the current DSU including funding for SILC, funding for the IL network, etc.
- Dealing with the potential loss by the IL network of other funds (e.g. Social Security reimbursement, Innovation and Expansion funds) if they are no longer available to you if you change to a different DSE
- Other _____
- No training or TA will be needed

V. **Sec. 704 (c)(5) retain not more than 5 percent of the funds received by the State for any fiscal year under Part B, for the performance of the services outlined in paragraphs (1) through (4).**

E. What training or technical assistance may be needed in your state to implement the new part of the law that provides for the State retaining not more than 5 percent of Part B funds for administrative costs?

- Addressing this issue in the SPIL development process
- DSE Budget development

- How to determine the percentage to be retained by the DSE
- Strategic transition from the amount your current DSU withholds for administrative costs (if they do withhold funding for that purpose) to “not more than 5%” retention of Part B funds by the DSE for the stated services
- Strategic transition from a DSU retaining Part B funds to provide direct services (i.e. an IL “field program”) to a DSE withholding “not more than 5%” of Part B funds for the stated services
- Other _____
- No training or TA will be needed

VI. **Sec. 704 (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 Statewide Independent Living Council;
- (2) centers for independent living;
- (3) the designated State entity; and
- (4) other State agencies or entities represented on the Council, other councils that address the needs and issues of specific disability populations, and other public and private entities determined to be appropriate by the Council.

F. What training or technical assistance may be needed by your SILC to implement the Cooperation, Coordination, and Working Relationships section of the law?

- Maximizing the collaboration between the SILC and the CILs
- Strategies for developing the relationship with the DSE
- Strategies for modifying the current relationship with the vocational rehabilitation program to the new relationship defined in law if they are not chosen to be the DSE
- Developing other new collaborations and working relationships that support independent living goals and objectives
- Other _____
- No training or TA will be needed

VII. **Sec. 704 (o) PROMOTING FULL ACCESS TO COMMUNITY LIFE.**

(1) IN GENERAL.—The plan shall describe how the State will provide independent living services described in section 7(18) that promote full access to community life for individuals with significant disabilities.

G. What training or technical assistance would be helpful in order to "promote full access to community life" in the plan?

- How to collect comprehensive/useful needs assessment data to identify areas to be accessed more fully
- Increased knowledge of ethnic and disability populations
- Assistance with defining “full access to community life”
- Guidance on developing effective goals, objectives and indicators
- Other_____
- No training or TA will be needed

VIII. SEC. 705. STATEWIDE INDEPENDENT LIVING COUNCIL

(a)(2)(b) COMPOSITION.—The Council shall include—

~~(b)~~ (A) among its voting members, at least 1 director of a center for independent living chosen by the directors of centers for independent living within the State;

(B) among its voting members, for a State in which 1 or more centers for independent living are run by, or in conjunction with, the governing bodies of American Indian tribes located on Federal or State reservations, at least 1 representative of the directors of such centers; and

(C) as ex officio, nonvoting members, a representative of the designated State entity, and representatives from 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) individuals with disabilities;

(C) parents and guardians of individuals with disabilities;

(D) advocates of and for individuals with disabilities;

(E) representatives from private businesses;

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

(G) other appropriate individuals.

H. What training or technical assistance may be needed in your state to implement the new part of the law pertaining to Composition of the Council?

- Changing the makeup of the SILC to meet these new requirements
- Influencing the appointments to the SILC in order to meet the requirements
- Working with the CILs on reservations to identify a representative to recommend for appointment to the SILC
- Recruitment strategies
- Orientation and training strategies
- Supporting attendance and fully engaging members

- Other _____
- No training or TA will be needed

IX. **Sec. 705 (b)(6)(B) Number of terms.**—No member of the Council, other than a representative described in paragraph (2)(A) if there is only one center for independent living within the State, may serve more than two consecutive full terms.

I. Does your SILC need any assistance in coming into compliance with this newly clarified requirement concerning number of terms? ___yes ___no

X. **Sec 705 (c) FUNCTIONS.**

(1) DUTIES.—The Council shall

- (A) develop the State plan as provided in section 704(a)(2);
- (B) monitor, review, and evaluate the implementation of the State plan;
- (C) meet regularly, and ensure that such meetings of the Council are open to the public and sufficient advance notice of such meetings is provided;
- (D) submit to the Administrator such periodic reports as the Administrator may reasonably request, and keep such records, and afford such access to such records, as the Administrator finds necessary to verify the information in such reports; and
- (E) as appropriate, coordinate activities with other entities in the State that provide services similar to or complimentary to independent living services, such as entities that facilitate the provision of or provide long-term community-based services and supports.

J. The duty to coordinate activities now provides greater clarity and latitude for coordination than previously available. Broad coordination is now clearly a duty. Does this expansion suggest any ways in which training and TA might be useful to your SILC?

___yes please specify _____

___no

XI. **Sec. 705 (c)(2) AUTHORITIES.—The Council may, consistent with the State plan described in section 704, unless prohibited by State law-**

- (A) in order to improve services provided to individuals with disabilities, work with centers for independent living to coordinate services with public and private entities;
- (B) conduct resource development activities to support the activities described in this subsection or to support the provision of independent living services by centers for independent living; and
- (C) perform such other functions, consistent with the purpose of this chapter and

comparable to other functions described in this subsection, as the Council determines to be appropriate.

K. This section provides for some of the most sweeping changes that will occur for SILCs. What specific areas of the Authorities section of the law do you anticipate your SILC will want assistance with?

- Working with CILs to coordinate with public and private entities to improve services provided to individuals with disabilities
- Conducting resource development activities to support SILC responsibilities
- Conducting resource development activities to support the provision of IL services by CILs.
- Identifying and implementing other functions the SILC determines to be appropriate for a SILC
- Other _____
- No training or TA will be needed

XII. Sec. 705 (c)(3) LIMITATION.—The Council shall not provide independent living services directly to individuals with significant disabilities or manage such services.

L. This section is totally new and may require some re-thinking with regard to how your SILC operates. What specific issues does this generate for your SILC that you will need assistance in addressing?

- Activities that would be covered by this limitation
- How this limitation could affect the SILC vs. the non-profit corporation, if organized as a non-profit
- Other
- No training or TA will be needed

XIII. Sec. 713 Authorized Uses of Funds. —IN GENERAL. —The State may use funds received under this part to provide the resources described in section 705(e) (but may not use more than 30 percent of the funds paid to the State under section 712 for such resources unless the State specifies that a greater percentage of the funds is needed for such resources in a State plan approved under section 704(c)(5), and shall distribute the remainder of the funds received under this part in a manner consistent with the approved State plan for the activities described in subsection (b).

M. This section affects the availability of funds for the SILC resource plan. What training or technical assistance may be needed in your state to implement this new part of the law?

- Addressing this issue in the SPIL development process
- SILC Resource Plan Development
- Determining the percentage of Part B funds needed for the SILC Resource Plan
- How to justify the percentage needed for the SILC Resource Plan if it is determined to be more than 30%
- Other
- No training or TA will be needed

XIV. What other areas related to the changes in the law or in general do you anticipate your SILC will want assistance with in the coming year?

XV. Please provide your contact information in case we have a question (your survey answers will remain confidential). We also need to account for every state and territory's response so that we make sure to have everyone's input.

Name _____

Organization _____

Email _____