

**IL-NET**

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# SILC Duties & Responsibilities

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# Getting Acquainted

- What do I know about SILCs?
  - Interview, self-evaluation, etc.
- Why am I on the SILC?
- To whom am I responsible as a SILC member?
- What is the most important part of my role?
- What do I bring to my SILC role?

# SILC Purpose

- As a Council member, you've been given not only the responsibility for identifying the needs of the independent living community, but also the authority jointly with the designated state unit (DSU) to develop and monitor a plan to respond to those needs.
- SILCs were established by the Rehabilitation Act of 1973, as amended to conduct the planning and coordination of planning for a state's IL program.

# The Rehabilitation Act of 1973, as Amended

- The Act is the authorizing legislation for many disability-related programs and requirements including the vocational rehabilitation services and the independent living programs.
- In 1998, the Rehabilitation Act was absorbed into the Workforce Investment Act, a comprehensive piece of legislation intended to pull together dozens of vocationally-related programs.
- The Rehabilitation Act became Title IV of the Workforce Investment Act (WIA).

# The Rehabilitation Act Titles

- When looked at separately, the Rehabilitation Act is still usually broken down by titles:
  - Title I: Vocational Rehabilitation Services—contains a description and guidelines for your state’s VR program
  - Title II: Research and Training
  - Title III: Professional Development and Special Projects and Demonstrations
  - Title IV: National Council on Disability
  - Title V: Rights and Advocacy
  - Title VI: Employment Opportunities for Individuals with Disabilities
  - Title VII: Independent Living Services and Centers for Independent Living

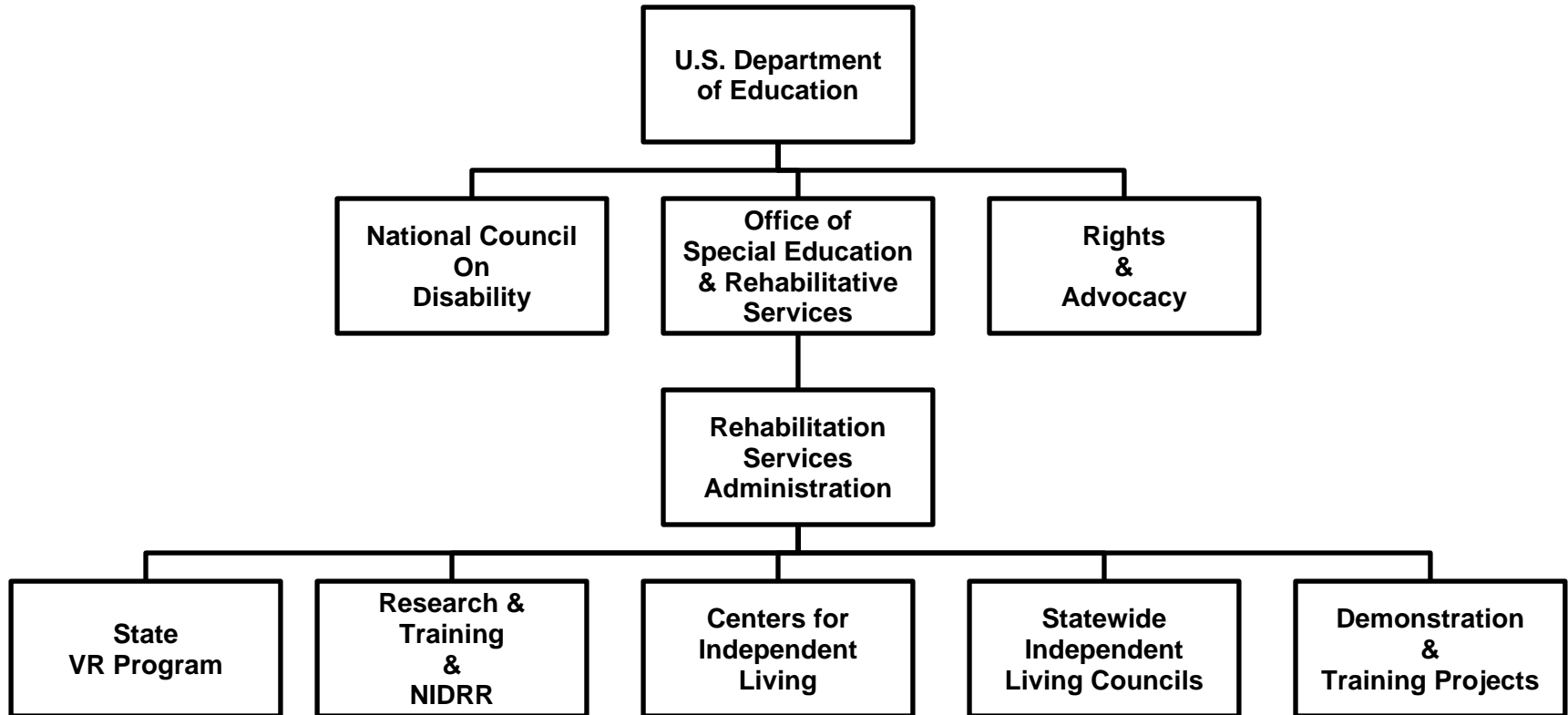
# Title VII IL Services and Centers

- Chapter 1 Individuals with Significant Disabilities
  - Part A General Provisions (Secs. 701 – 706)
  - Part B Independent Living Services (Secs. 711 – 714)
  - Part C Centers for Independent Living (Secs. 721 – 727)
- Chapter 2 Independent Living Services for Older Individuals Who are Blind (Secs. 751 – 753)

# Section 705

- Establishes Statewide Independent Living Councils
- Required for states to receive Title VII funds
- Details requirements for SILCs
- Details duties of SILC

# Federal Organizational Chart

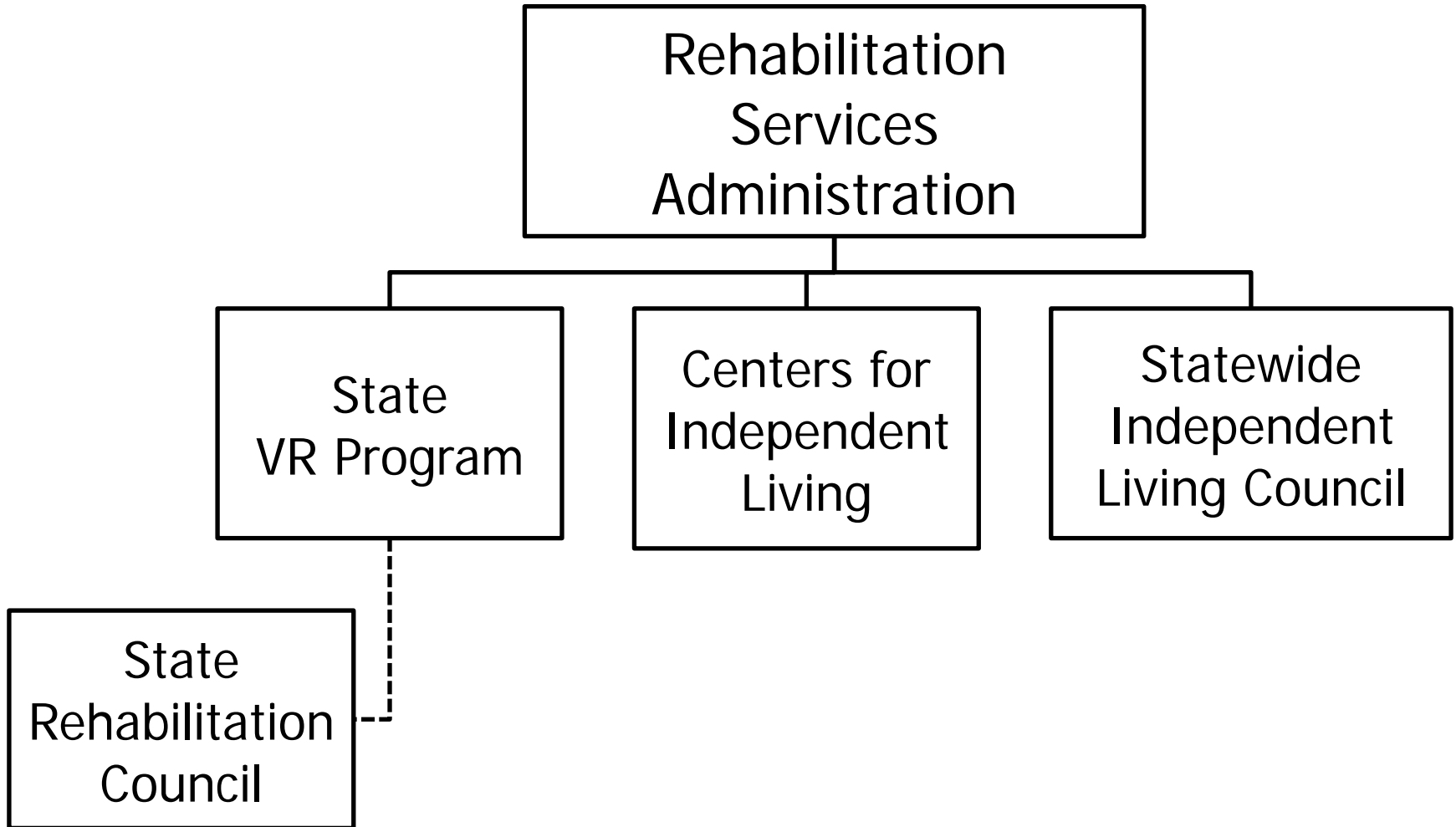




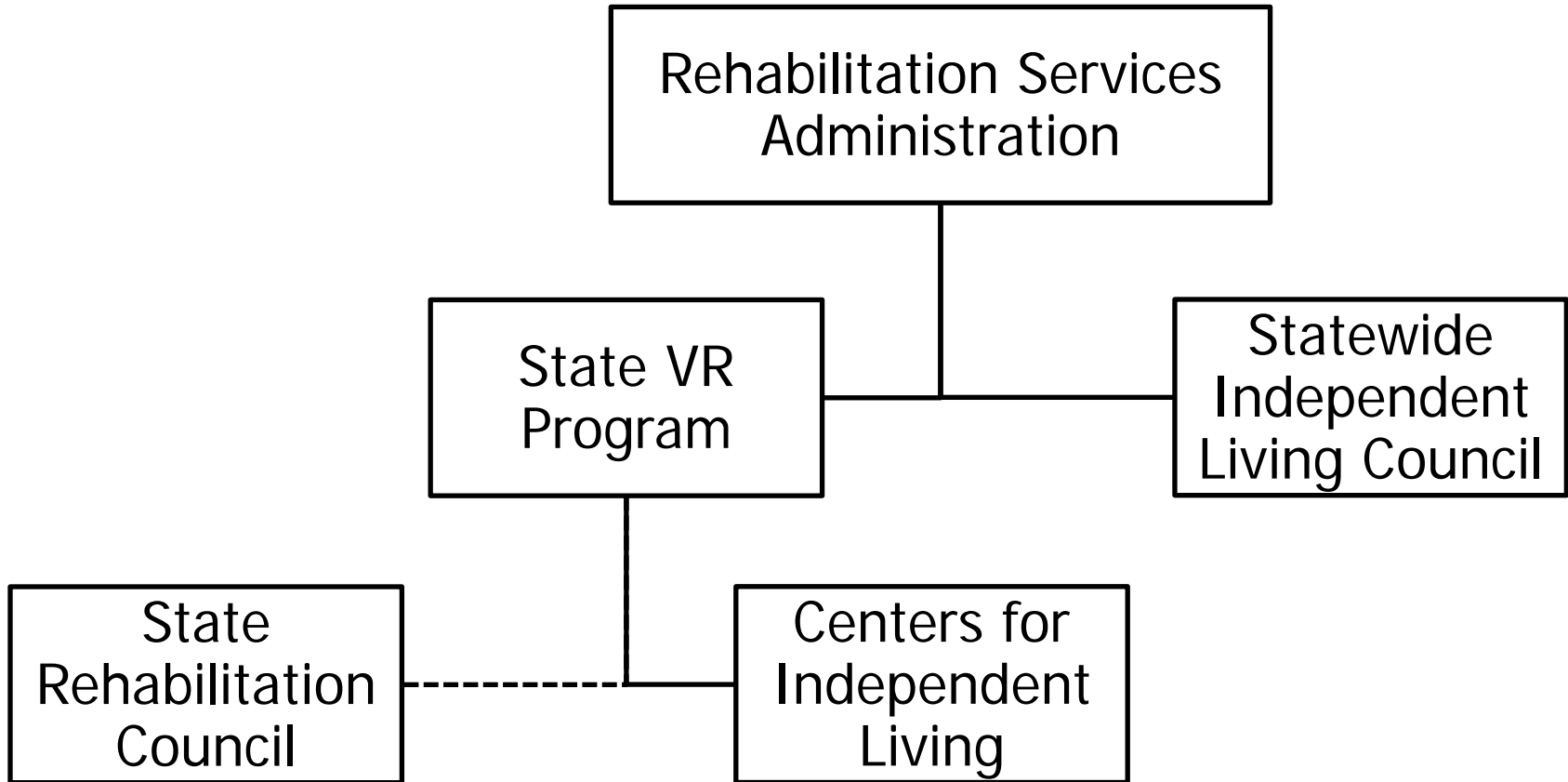
# Federal Organization

- Dept. of Education, OSERS and RSA
  - Secretary, ED
  - Assistant Secretary, OSERS
  - Commissioner, RSA
  - State Monitoring and Program Improvement Division and Independent Living Unit
  - IL Unit—Chief and five state teams, each including a member of the IL Unit. SILCs should communicate issues and concerns to their IL Unit representative
- Dept. of Education Regulations
  - 34 CFR 364, 365 and 366

# Sec. 722 State Organizational Chart



# Sec. 723 State Organizational Chart



# Formation and Make up of the SILC

- Functions as a partner with the Designated State Unit(s) (**DSU(s)**) to ensure the existence of appropriate planning and coordination of resources to meet the independent living needs of people with disabilities in the state
- Term of appointment is three years and council members may not serve more than two full **consecutive** terms.
- SILC must be **AUTONOMOUS**

# Duties of the SILC

**Under Title VII, Section 705 (c), the SILC must carry out the following five duties:**

- Jointly develop and sign (in conjunction with the DSU) the SPIL;
- Monitor, review, and evaluate the implementation of the SPIL;
- Coordinate activities with the State Rehabilitation Council (SRC) and other councils that address the needs of people with disabilities;
- Ensure that all regular SILC meetings are open to the public & advance notice is provided;

# Duties of the SILC, cont'd.

- Submit reports to the Commissioner (of RSA) and keep records (& provide access to records) to verify the reports.

# All Activities of the SILC Must Fall Within These Five Duties

However, the SPIL must include provisions for:

704 (i) Cooperation, Coordination, and Working Relationships Among Various Entities

Including 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 the SILC, other councils that address the needs of specific disability populations and issues, and other public and private entities determined to be appropriate by the SILC.

# Under Section 705 (d), the SILC is authorized to...

- Conduct hearings and forums deemed necessary by the SILC to carry out the duties & functions;....



# RSA Guidance

- RSA Guidance Regarding SILCs:
  - Cannot administer Part B funds
  - Must perform duties in Sec. 705
  - Cannot do resource development with federal funding—but not prohibited from receiving other funding for activities beyond Sec. 705
  - Can do advocacy as part of SILC Duties
  - Cannot do training
  - Resource plan only to be used for Sec. 705 duties

# For More Detail...

- See the TECHNICAL ASSISTANCE CIRCULAR issued by the Rehabilitation Services Administration on January 30, 2013 at <http://www2.ed.gov/policy/speced/guid/rsa/tac/2013/index.html>

# Questions??

# State Plan for Independent Living

- SPIL Parts under **Sec. 704** include:
  - Mission, Goals & Objectives
  - ID of underserved populations & Outreach
  - Financial Plan
  - Cooperation & Coordination
  - Scope, Extent and Arrangements of IL Services
  - Design for Network of Centers
  - Description of DSU, SILC and Service Provider requirements
  - Evaluation and Other Requirements

# Evaluation of SPIL Implementation

- Evaluation
  - Defined in SPIL—how related to SPIL development
  - Should address all objectives
  - How should it use 704 Reports?

# SILC Resource Plan

- Required Component of SPIL
- Allowable Sources of Funding
  - Title VII, Part B Funds
  - Title I, Innovation & Expansion Funds
  - Other Public and Private Funds
- Must be Controlled by SILC

# Funding for IL Services

- Federal funding from Title VII Parts B & C
- Social Security Reimbursement funds
- State funds (if appropriated)
- Other public and private funds

# Funding Requirements

- Federal funds may not be to used to perform/ participate in activities outside duties in Section 705
- Uses of funds and reporting governed by EDGAR (Education Department General Administrative Regulations)
- OMB Circular A-122 Audit required if you receive \$500,000 or more in all federal funds combined
- State fiscal requirements may apply to SILC



# Part B Section 713

- Sec. 713. Authorized Uses of Funds
  - 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 to...
    - Provide IL Services
    - Demonstrate IL Services
    - Support operation of CILs
    - Increase capacities of organizations
    - Conduct studies and analyses; develop model policies and procedures; make recommendations

## Part B Section 713, cont'd.

- Train individuals with disabilities and individuals providing services to individuals with disabilities, and others regarding IL philosophy
- Provide outreach to populations that are unserved or underserved

# Part C

- Most Centers for Independent Living are at least partially funded through Title VII Part C of the Act.
  - RSA considers each award separately—even when a Center has more than one award
  - Appropriations go to level fund existing centers *first*, then based on the funding formula, centers may receive COLA, and finally new Centers may be funded per SPIL
- In every state except Massachusetts and Minnesota these funds flow directly from the Department of Education/RSA to the Center. IN MA & MN (Sec. 723 States) the States provide more support than feds *and* State elects to receive \$ directly.
  - State runs program under special rules

# SILC as a Board

- **Members** of a SILC organized as a non-profit corporation generally **function as the board of directors** of the corporation
- **Board Responsibilities:**
  - Govern the non-profit corporation
  - Ensure fiscal soundness & responsibility
  - Ensure compliance with laws & regulations

# Potential Advantages of Non-Profit

- Autonomy is clear
- Hire and fire own staff
- Manage own fiscal responsibilities
- Have ability to seek other funding
- Have ability to conduct activities outside SILC Duties (as long as you have funding for them)
- Position in partnership with DSU is stronger
- Have own identity separate from DSU

# Non-Profit Organization Allowable Activities

- Advocacy
- Resource Development
- Any Other Activities You Have Other Funding to Do\*

\*Cannot use funds from SILC Resource Plan in SPIL to do anything other than SILC Duties—Activities of SILC funded outside the SILC Resource Plan are not part of the SPIL

# SILC Role in Systems Change

- Advocacy vs. Lobbying
  - Lobbying is advocacy to influence specific legislation
  - Cannot do lobbying with federal funding
  - Advocacy can be working to change policy and position
- Lobbying and other exceptions
- Other Advocacy

# SILC Role in Systems Change, cont'd.

- What Advocacy Role is Appropriate for SILCs?
  - Through certain activities that flow directly from the SILC's fulfillment of its statutory duties
  - Through listening to and sharing the concerns of individuals with significant disabilities during SPIL development (goals/objectives)
  - In monitoring the implementation of the SPIL—ensure needs are addressed
  - By recommending/advocating for new approaches in the next SPIL



# SILC Role in Systems Change, cont'd. 2

- In coordinating efforts with other entities (e.g. transportation agency)
- Through interaction with other disability-related councils, commissions, and organizations

# SILC Role in Systems Change, cont'd. 3

- How to reflect in SPIL
  - When addressing Sec. 704 and how the SILC collaborates with other entities
  - When outlining monitoring activities and SILC recommendations

# Examples of SILC Coordination and Collaboration

- WV SILC, CILs, & DSU
  - Collaboratively assess consumer satisfaction
  - Statewide report developed
- WV SILC and WV DD Council
  - WV Disability Caucus
- WV SILC and WV Commission for D&HH
  - Smoke Alarm Project for D&HH
  - Interpreter Project
- Fair Shake Network
  - Systems Advocacy Contract

# Questions??

# Wrap Up and Evaluation

Your feedback is important to us. Please click the link below to complete your evaluation of today's program:

<https://vovici.com/wsb.dll/s/12291g540db>

# Contact

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