

**STATE PLAN FOR  
INDEPENDENT LIVING  
(SPIL)**

Rehabilitation Act of 1973, as Amended, Chapter 1, Title

**VII**

**SUBCHAPTER B - INDEPENDENT LIVING SERVICES**

Subchapter C - Centers for Independent Living

**State: West Virginia**

**FISCAL YEARS: 2021-2023**

**Effective Date: October 1, 2020**

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## Executive Summary

The new mission statement for the IL Network in West Virginia is *“To ensure all West Virginians have access to CILs and IL Services.”* In keeping with that mission, the 2021-2023 State Plan for Independent Living is focused on the maintenance and expansion of the CIL (Center for Independent Living) network. A detailed design for a statewide network of CILs, including a map of service areas for statewide coverage, has been crafted to ensure not only statewide coverage but also reasonable service areas for CILs that eliminates unserved and underserved areas and provide ready access to each CIL for individuals with disabilities throughout the service area. In order to achieve full implementation of the design for a statewide network of CILs, several objectives have been established that focus on:

- Increased awareness of CILs and what they do
- Increased sense of value of CILs
- Increased opportunities for input and feedback
- Advocacy to increase resources to implement the design

Efforts to accomplish these will be directed at people with disabilities, the public, and policymakers and will be achieved in several ways including:

- Increased awareness of CILs and what they do:
  - Development of an “IL brand” that distinguishes CILs from other entities that have co-opted the term “independent living” and that clarifies that CILs are not places people with disabilities live.
  - Maximizing opportunities to educate using an exhibit/display about CILs, a video about CILs and IL Services, listening sessions, a public forum during the legislative session each year, and a summit.
- Increased sense of value of CILs:
  - Increase awareness of CIL services and activities.
  - Gathering personal stories of individuals with disabilities that receive services from CILs, demonstrating the impact and value of CILs.
  - Development of a video about CILs and services showing the difference made in the lives of CIL consumers.
  - A Return on Investment (ROI) study demonstrating the value of CILs.
- Increased opportunities for input and feedback:
  - Providing opportunities for input and feedback using: Facebook, Survey Monkey, public forums, consumer satisfaction surveys, a summit, and outreach activities in targeted areas for new CILs.
- Advocacy to increase resources to implement the design
  - Increased outreach in target areas for new CILs to identify and develop leaders to organize grassroots support, support development of and serve on new CIL boards.
  - Establishment of an annual IL Day at the Capitol to educate policymakers on the value of CILs.
  - Educate interested groups about how to start a new CIL and what is required by state and federal law.

The 2021-2023 State Plan for Independent Living also includes:

- A chart of services currently being provided by the existing CILs as well as a description of their service areas.
- A financial plan showing current resources and their uses and a chart with detailed uses of the federal and state funds governed by this plan.
- An outreach plan detailing activities to be implemented to reach out both statewide and targeting priority areas for a new CIL.
- A detailed evaluation plan to monitor, review and evaluate the implementation of this plan.

The Statewide Independent Living Council (SILC), Centers for Independent Living (CILs), and the Designated State Entity (WV Division of Rehabilitation Services) will continue to work closely with each other to coordinate efforts to maximize resources to support community life for people with disabilities. Many entities are represented on the SILC, which provides opportunities for coordination and the SILC participates in many collaborations at the state level, taking every opportunity to ensure CILs are maximized and the IL philosophy is infused. The SILC, CILs, and DSE will also work with other entities to coordinate services, emergency preparedness and response, and increased awareness and protection of rights and access.

The back sections of the plan focus on legal assurances and authorities as well as the signatures of the SILC Chairperson and the Director of the Designated State Entity agreeing to comply with them.

The last section includes the signatures of the SILC Chairperson and the CIL Directors agreeing to the content of the plan and authorizing its submission to the Administration for Community Living, US Department of Health and Human Services.

It is not anticipated that all the goals and objectives can be achieved in the three years covered by this plan. But public input over many years has demonstrated that individuals who have access to a CIL value it greatly and that individuals who do not have access to a CIL decidedly want a CIL in their area. Therefore, the partners represented on the SPIL Team which wrote this plan and include the SILC, all of the CILs and the DSE, made the conscious decision to focus the plan on building that network. These efforts will be continued until every individual with a disability in West Virginia has access to a CIL and all the services the CILs provide.

## **Section 1: Goals, Objectives and Activities**

### **1.1 Mission:**

Mission of the Independent Living Network and the SPIL.

“The mission of the WV IL Network is to ensure all West Virginians have access to CILs and IL Services.”

## **1.2 Goals:**

Goals of the IL Network for the three-year period of the plan.

1. Establish a statewide network of centers for independent living.
2. Ensure CILs have sufficient resources to provide CLSP Services in a timely manner.

## **1.3 Objectives**

Objectives for the three-year period of the plan – including geographic scope, desired outcomes, target dates, and indicators. Including compatibility with the purpose of Title VII, Chapter 1.

**Objective 1.1** West Virginians understand and value centers for independent living (CILs). (Statewide)

**Target Date:** 9-30-2023

**Indicator:** Data collection methods indicate an increase in understanding and valuing of CILs of 33%.

### Action Steps:

- 1.1.a Develop an “IL Brand” that clearly identifies CILs and sets them apart from other services/entities now labeled “IL”. (3-31-2021)
- 1.1.b Update the CILs display/exhibit and use it at events statewide to educate the public about CILs, their value, and the unmet need. (6-30-2021)
- 1.1.c Develop promotional materials about CILs (all CILs in general in WV) to promote the new brand and educate public. (6-30-2021)
- 1.1.d Develop a video with before & after interviews with CIL consumers to share at events and with the public to increase understanding a valuing of, and gain support for, CILs. (9-30-2021)

**Objective 1.2** Policymakers understand and value the impact of CILs on the lives of West Virginians with disabilities. (Statewide)

**Target Date:** 9-30-2023

**Indicator:** Data collection methods indicate an increase in understanding and valuing of CILs of 20%.

### Action Steps:

- 1.2.a Update the CILs display/exhibit and use it at events at the Capitol to educate the Legislators and staff about CILs and their value. (3-31-2022)
- 1.2.b Conduct a Return on Investment (ROI) study to demonstrate the value of CILs to West Virginians with disabilities. (9-30-2022)

- 1.2.c Educate Legislators about the value of CILs, as demonstrated by the ROI study, video, and personal stories. (on-going – during Interims & 2022 legislative session and beyond)
- 1.2.d Identify a new liaison from the Governor’s Office. (3-31-2021)
- 1.2.e Establish an “Independent Living Day” at the Capitol to bring attention to CILs and educate legislators, staff, and advocates about the value of CILs. (3-31-2022)

**Objective 1.3** Grassroots support for a statewide network of CILs exists. (Statewide)

**Target Date:** 9-30-2023

**Indicator:** Based on information gathered at SPIL input events and data gathered in outreach efforts, grassroots support increased 25%.

Action Steps:

- 1.3.a Strengthen the partnership between the SILC, CILs, and other partners and stakeholders. (on-going – beginning 10-1-2020)
- 1.3.b Update the CIL display/exhibit and use it at events statewide (including areas unserved by a CIL) to educate the public about CILs and their value. (6-30-2021)
- 1.3.c Conduct listening sessions (virtual and in-person) around the state to build support and identify groups willing to work on establishing new CILs. (on-going – beginning 6-1-2021)
- 1.3.d Educate interested groups about how to start a CIL and CIL standards and assurances. (on-going – beginning 10-2-2021)
- 1.3.e Gather personal stories of individuals with disabilities statewide who do or who could benefit from a CIL. (quarterly throughout each year of SPIL – beginning 10-2-2020)
- 1.3.f SILC, CILs, and other partners and stakeholders engage in advocacy efforts to build support for a statewide network of CILs. (on-going – beginning 10-1-2020)
- 1.3.g Establish a presence on social media to allow interested individuals to follow the development and progress of a CIL in their area. (9-30-2021)
- 1.3.h Make statewide network a standard agenda item at each quarterly WVCIL meeting to work on the process. (10-1-2020)

**Objective 1.4** Resources exist and are available to support a statewide network of CILs. (Statewide)

**Target Date:** 9-30-2026

**Indicator:** CIL line item established in West Virginia state budget and funded at \$1 million.

Action Steps:

- 1.4.a Make statewide network of CILs a standard agenda item at each quarterly WVSILC meeting to work on identifying resources and support. (10-1-2020)
- 1.4.b Educate Legislators and the Governor about the resources needed to fully implement the SPIL and the design for a statewide network of CILs. (on-going – beginning 3-31-2021)
- 1.4.c Research potential funding opportunities and secure funding to support a statewide network of CILs. (9-30-2026)

**Goal 2 Objectives & Action Steps:**

**Objective 2.1** CILs have the capacity to provide Community Living Services Program (CLSP) services statewide. (Statewide)

**Target Date:** 9-30-2026

**Indicator 1:** State appropriation for Independent Living Services increased by 200%.

**Indicator 2:** CIL resources for CLSP staff increase by 100%.

**Indicator 3:** The average amount of time an individual spends on the waiting list is reduced by 25%.

Action Steps:

- 2.1.a Educate Legislators and the Governor about the limitations on providing services, the waiting list, and the need for a statewide network of CILs in order to ensure statewide access to CLSP. (9-30-2023)
- 2.1.b Research and secure potential funding sources to ensure CILs have the capacity and sufficient, diversified funds to provide CLSP services in a timely manner and eliminate the waiting list. (9-30-2026)

**Objective 2.2** Policymakers understand and value the impact of CLSP on the lives of West Virginians with disabilities. (Statewide)

**Target Date:** 9-30-2023

**Indicator 1:** Data collection methods indicate an increase in understanding and valuing of CILs of 20%

**Target Date:** 9-30-2026

**Indicator 2:** State funding for Independent Living Services increased by 200%.

Action Steps:

- 2.2.a Prepare and distribute an annual report on CLSP, services provided, individuals served, the waiting list for services, the unmet need, and what happens to individuals while they are waiting for services. (Annually)
- 2.2.b Post the CLSP Annual Report on the SILC and CIL websites. (Annually)
- 2.2.c Collect and share personal stories of the benefits of CLSP services. (Annually)
- 2.2.d Educate partners and allies about the value of and unmet need for the CLSP program. (on-going – beginning 10-1-2020)
- 2.2.e Educate the Governor about the value of CLSP and the impact of the program on the lives of West Virginians with disabilities. (on-going – beginning 10-1-2020)
- 2.2.f Develop a video with before & after interviews with CLSP recipients to share at events and with the public to educate and gain support for CLSP. (9-30-2021)

**1.4 Evaluation**

Methods and processes the SILC will use to evaluate the effectiveness of the SPIL including timelines and evaluation of satisfaction of individuals with disabilities.

The monitoring of the effectiveness of the State Plan's objectives' accomplishments is the responsibility of the Administrative Team of the WVSILC. The evaluation plan for this SPIL is detailed in the table below. The information to be gathered on each goal and corresponding objectives includes the data to be collected, the method of collecting the data, the indicators of progress and/or accomplishments, the organizations assigned to each objective and the estimated timeline for each objective. The CILs and SILC staff will prepare quarterly reports on progress made on SPIL objectives. The SILC Administrative Committee will prepare quarterly reports on progress made in implementing the SPIL Evaluation Plan.

In addition, during the first year of the SPIL WVCIL members will provide the WVSILC with names and contact information of open and closed CSR's (Consumer Service Records) for the reporting period. WVSILC will mail postcards with 3-4 questions and compile the answers for the centers as well as for members of the SILC.

During the second year of the SPIL, a Return On Investment (ROI) Study of the CILs will be conducted using PPR (Program Performance Report) data and consumer stories gathered during the first two year.

During the third year of the SPIL, the WVSILC, the WVDRS, and the WVCIL's will conduct a joint statewide consumer satisfaction survey. The survey will include all open and closed CSR's during the evaluation period, as well as a random sampling of consumers with significant disabilities still working on their goals at the center. The survey compilation is conducted by an outside consultant who has worked on independent living data collection and surveys for numerous years during her tenure at West Virginia University.



Goals	Objectives & Indicators	Data to be collected	Data collection method	Organization primarily responsible for data collection	Timeline
<b>Goal 1</b> <b>Establish a statewide network of centers for independent living.</b>	1.1 West Virginians understand and value centers for independent living (CILs).  <b>Indicator:</b> Data collection methods indicate an increase in understanding and valuing of CILs of 33%.	Stories from people with disabilities	CIL Staff to identify and contact potential story tellers	CILs	Year 1 1 <sup>st</sup> and 2 <sup>nd</sup> quarter
		Create a baseline pre-understanding and value of CILs	Survey Monkey  Facebook Tracking	SILC	Year 1 1 <sup>st</sup> and 2 <sup>nd</sup> quarter
		Data collected at end of year from SPIL Progress Reports	Email sharing	CILs SILC DRS	Report results at 3 <sup>rd</sup> quarter of year 1 and at the end of year 1, 2 and 3
	1.2 Policymakers understand and value the impact of CILs on the lives of West Virginians with disabilities.  <b>Indicator:</b> Data	Stories from people with disabilities	CIL Staff to identify and contact potential story tellers	CILs	Each year during Legislative Session

Goals	Objectives & Indicators	Data to be collected	Data collection method	Organization primarily responsible for data collection	Timeline
	collection methods indicate an increase in understanding and valuing of CILs of 20%.	Create a baseline pre-understanding and value of CILs	Survey Monkey Facebook Tracking  Email sharing	SILC  CILs, SILC, DRS	
		Data collected at end of year from SPIL Progress Reports	Hold public forum during legislative session each year	SILC	
	1.3 Grassroots support for a statewide network of CILs exists.  <b>Indicator:</b> Based on information gathered at SPIL input events and data gathered in outreach efforts, grassroots support increased 25%.	Hits on Facebook  Number of views and Shares on Facebook  Donations	Track Facebook activity	SILC	Throughout the 3 years
		Identify support for assisting with grassroots efforts to open a new CIL	Hold listening sessions  Collect attendance count at listening sessions and track those willing to serve on a CIL board and/or advocate for funding	SILC	

Goals	Objectives & Indicators	Data to be collected	Data collection method	Organization primarily responsible for data collection	Timeline
	<p>1.4 Resources exist and are available to support a statewide network of CILs.</p> <p><b>Indicator:</b> CIL line item established in West Virginia state budget and funded at \$1 million.</p>	<p>Identify resources and support</p> <p>Identify potential donors/grants</p> <p>Collect stories from people with disabilities to share with potential donors/grantors</p>	<p>Have a standing SILC meeting agenda item for the CILs to discuss resources</p> <p>Create “Did You Know” questions to send out on emails blasts to policymakers</p>	<p>CILs &amp; SILC</p> <p>DRS &amp; CILs</p>	

Goals	Objectives & Indicators	Data to be collected	Data collection method	Organization primarily responsible for data collection	Timeline
<b>Goal 2</b> <b>Ensure CILs have sufficient resources to provide CLSP Services in a timely manner.</b>	2.1 CILs have the capacity to provide Community Living Services Program (CLSP) services statewide.  <b>Indicator 1:</b> State appropriation for Independent Living Services increased by 200%.  <b>Indicator 2:</b> CIL resources for CLSP staff increase by 100%.	Waiting list total  Waiting list total per county  Identify resources and support  Identify potential Donors  Identify potential grants	CIL CLSP Staff to identify and contact potential story tellers	CILs	Throughout Year 1
			IL Day at the Capitol during the legislative session. Measure the attendance	SILC & CILs	Year 2 and 3 during legislative session
		Collect stories from people with disabilities to share with potential donors	Share the video with businesses and potential donors	CILs & SILC	Year 3

Goals	Objectives & Indicators	Data to be collected	Data collection method	Organization primarily responsible for data collection	Timeline
		<p>Stories of people who have received services</p> <p>Stories from people who are still on the waiting list</p>			
	<p>2.2 Policymakers understand and value the impact of CLSP on the lives of West Virginians with disabilities.</p> <p><b>Indicator:</b> Data collection methods indicate an increase in understanding and valuing of CILs of 20% and state funding increased by 200%.</p>	<p>Stories from people with disabilities</p>	<p>CIL CLSP Staff to identify and contact potential story tellers</p>	<p>CILs</p>	<p>Throughout 3 years</p>
		<p>Create a baseline pre-understanding and value of CILs</p>	<p>Survey Monkey Facebook Tracking</p> <p>Email sharing</p>	<p>SILC</p> <p>CILs, SILC &amp; DRS</p>	<p>Year 1</p>
		<p>Data collected at end of year from SPIL Progress Reports</p>	<p>Conduct a CLSP Summit to share our results</p>	<p>CILs</p>	<p>Year 3</p>

### 1.5 Financial Plan

Sources, uses of, and efforts to coordinate funding to be used to accomplish the Goals and Objectives. Process for grants/contracts, selection of grantees, and distribution of funds to facilitate effective operations and provision of services.

Fiscal Year(s): 2021-2023					
Sources	Projected Funding Amounts and Uses				
	SILC Resource Plan	IL Services	General CIL Operations	Other SPIL Activities	Retained by DSE for Administrative costs
<b>Title VII Funds</b>					
Chapter 1, Subchapter B		338,717			0
Chapter 1, Subchapter C			973,814		
<b>Other Federal Funds</b>					
Sec. 101(a)(18) of the Act (Innovation and Expansion)	228,900				
Social Security Reimbursement					
Other CARES Act			941,295		
<b>Non-Federal Funds</b>					
State Funds		725,611			
Other Part B State match		37,635			

The amount listed in Chapter 1, Part B above, \$338,717, and the corresponding cash State Match of \$37,635 will be used by the CILs to provide IL services. Any increases in Part B funds will result in corresponding State Match increases. As a result, State funds listed for IL Services will be reduced to accommodate the match.

The State appropriation for Independent Living Services (currently at \$429,418) provides state match for Part B funds (currently \$37,635) and funding for the Community Living Services Program (CLSP) to provide home and vehicle modifications, ramps, lifts, and equipment to enable individuals with significant disabilities to remain in their own homes (using the balance of the funds – currently \$391,783).

The additional State funds listed in the Table 1.5 is \$333,828, appropriated to the DSE for the Ron Yost Personal Assistance Services Program (RYPAS). RYPAS is a state funded, consumer-controlled personal assistance services program providing reimbursements to eligible individuals with disabilities to hire a personal assistant(s) or purchase personal assistance services.

All IL Services will be provided by the CILs and funding will be distributed to the CILs. Part B funds and State IL Services will be divided by the following percentages:

Part B funds:

- Appalachian CIL – 33%
- Mountain State CILs – 33%
- Northern WV CIL – 33%

State IL Services funds:

- Appalachian CIL – 29%
- Mountain State CILs – 34.6%
- Northern WV CIL – 36.4%

Current funding amounts by source are as follows:

<b>CIL Name</b>	<b>Part B Funds</b>	<b>Part C Funds</b>	<b>State IL Services</b>	<b>CARES Act</b>
Appalachian CIL	125,450	208,974	113,617	201,996
Mountain State CILs	125,450	527,893	135,557	510,264
Northern WV CIL	125,450	236,947	142,609	229,035

The SILC Resource Plan will be funded with I&E (Innovation & Expansion) Funds and will be used to support SILC operations and activities to fulfill SILC Duties and Authorities. The WVSILC is electing to engage in all the Authorities and intends to conduct activities under the authorities provided for in the Act including but not limited to:

- Conduct advocacy activities to ensure state policies and services are in place, which ensure all West Virginians are valued equally and participate fully in their communities.
- Develop and implement a resource development plan to support the activities of the SILC.
- Collaborate with the CILs on resource development to expand capacity of current CILs and to establish new CILs.
- Conduct leadership development activities for current and potential SILC members and/or potential CIL board members.
- Conduct outreach to and leadership development activities for youth with disabilities.

- Educate SILC members and staff on topics determined by the executive committee which may include new federal guidance, FAQs, and regulations as well as other topics of interest.
- Conduct research to gather data on the return on investment and the economic impact of CILs.
- Collaborate with the CILs and the school system to educate youth about disability history and the IL Philosophy.

## Section 2: Scope, Extent, and Arrangements of Services

### 2.1 Services

Services to be provided to persons with disabilities that promote full access to community life including geographic scope, determination of eligibility and statewide-ness.

<b>Table 2.1A: Independent living services</b>	<b>Provided using Subchapter B</b>	<b>Provided using other funds</b>	<b>Provided by</b>
Core Independent Living Services, as follows:			
- Information and referral	X	X	ACIL MTSTCIL NWVCIL
- IL skills training	X	X	ACIL MTSTCIL NWVCIL
- Peer counseling	X	X	ACIL MTSTCIL NWVCIL
- Individual and systems advocacy	X	X	ACIL MTSTCIL NWVCIL
<ul style="list-style-type: none"> <li>▪ Transition services including: <ul style="list-style-type: none"> <li>▪ Transition from nursing homes &amp; other institutions</li> <li>▪ Diversion from institutions</li> <li>▪ Transition of youth (who were eligible for an IEP) to post-secondary life</li> </ul> </li> </ul>	X	X	ACIL MTSTCIL NWVCIL
Counseling services, including psychological, psychotherapeutic, and related services	X	X	MTSTCIL NWVCIL



<b>Table 2.1A: Independent living services</b>	<b>Provided using Subchapter B</b>	<b>Provided using other funds</b>	<b>Provided by</b>
Services related to securing housing or shelter, including services related to community group living, and supportive of the purposes of this Act and of the titles of this Act, and adaptive housing services (including appropriate accommodations to and modifications of any space used to serve, or occupied by, individuals with significant disabilities) Note: CILs are not allowed to own or operate housing.		X	ACIL MTSTCIL NWVCIL
Mobility training		X	ACIL MTSTCIL
Services and training for individuals with cognitive and sensory disabilities, including life skills training, and interpreter and reader services		X	ACIL MTSTCIL NWVCIL
Personal assistance services, including attendant care and the training of personnel providing such services		X	MTSTCIL
Surveys, directories and other activities to identify appropriate housing, recreation, accessible transportation and other support services		X	MTSTCIL NWVCIL
Consumer information programs on rehabilitation and IL services available under this Act, especially for minorities and other individuals with disabilities who have traditionally been unserved or underserved by programs under this Act		X	MTSTCIL NWVCIL
Education and training necessary for living in the community and participating in community activities	X	X	ACIL MTSTCIL NWVCIL
Supported living			
Transportation, including referral and assistance for such transportation		X	ACIL MTSTCIL NWVCIL
Physical rehabilitation			
Therapeutic treatment			
Provision of needed prostheses and other appliances and devices	X	X	ACIL MTSTCIL NWVCIL
Assistive Technology	X	X	ACIL MTSTCIL NWVCIL

<b>Table 2.1A: Independent living services</b>	<b>Provided using Subchapter B</b>	<b>Provided using other funds</b>	<b>Provided by</b>
Individual and group social and recreational services		X	ACIL MTSTCIL NWVCIL
Training to develop skills specifically designed for youths who are individuals with significant disabilities to promote self-awareness and esteem, develop advocacy and self-empowerment skills, and explore career options		X	ACIL MTSTCIL NWVCIL
Services for children with significant disabilities		X	ACIL MTSTCIL NWVCIL
Services under other Federal, State, or local programs designed to provide resources, training, counseling, or other assistance of substantial benefit in enhancing the independence, productivity, and quality of life of individuals with significant disabilities		X	ACIL MTSTCIL NWVCIL
Appropriate preventive services to decrease the need of individuals with significant disabilities for similar services in the future		X	ACIL MTSTCIL NWVCIL
Community awareness programs to enhance the understanding and integration into society of individuals with disabilities		X	ACIL MTSTCIL NWVCIL
Other necessary services not inconsistent with the Act			
Employment Services		X	MTSTCIL
Ron Yost Personal Assistance Services		X	WVDRS
Aging in Place		X	NWVCIL
Our Lives: Safe and Strong program		X	NWVCIL
ADA/Accessibility consultations and TA		X	All CILs
Durable medical goods lending		X	All CILs

## 2.2 Outreach

Identify steps to be taken regarding outreach to populations that are unserved or underserved by programs that are funded under Title VII, including minority groups and urban and rural populations.

The following definitions are established with regard to CIL services:

Served – Service area and population of individuals with disabilities have full access to a CIL.

Unserved – No part of the area is served by a CIL.

Underserved – Area is part of the service area of a CIL but individuals with disabilities do not have ready access to the CIL due to the size of the service area.

The CILs served individuals, according to the FY 2019 PPRs, in the following proportions based on race/ethnicity: total served 1,082; total known minorities served 106 or 9.79%; total served race known 616; total minorities served 106 or 17.20%. The 2017 American FactFinder of the US Census Bureau indicates that the minority population in West Virginia totals 6.9% of the total population. While the CILs are serving and exceeding a proportional number of individuals with disabilities from minority populations, outreach efforts will continue to target those populations.

Outreach will be conducted by the SILC and CILs statewide but will also target counties in new CIL priority areas and may include:

- E-mail blasts – including organizations in unserved and underserved areas as well as organizations serving minority populations
- Identifying individuals will to work with the Legislature to secure additional funding for IL Services and for CIL operations
- Fostering individuals to serve on a new CIL board and to talk to policymakers about the need for a new CIL in their area and the funding needed
- Update the general CIL display and use at various events in target areas
- Conduct an “IL Day” at the Legislature

West Virginia does not have any areas that meet the definition of “urban”. All statewide outreach will include rural areas.

### 2.3 Coordination

Plans for coordination of services and cooperation among programs and organizations that support community life for persons with disabilities.

Coordination activities will continue to ensure support for integration and full inclusion of individuals with disabilities in community life. The SILC and the CILs will continue efforts to coordinate services, emergency preparedness and response, and advocacy with each other and through memberships and collaborations with the following:

- Developmental Disabilities Council
- Fair Shake Network
- Olmstead Council
- AARP WV
- Take Me Home, WV Advisory Council (Money Follows the Person project)
- Disability Rights of WV

- Legal Aid of WV
- Mountain State Justice
- FEMA Partners
- Access & Functional Needs Work Group (for disaster planning & response)
- ADRN Advisory Council
- WV ABLE Advisory Council
- Behavioral Health Planning Council
- Weatherization Program Policy Advisory Council
- Ron Yost Personal Assistance Services Board
- WV Medicaid Coalition
- People First
- Commission for the Deaf and Hard of Hearing
- The Arc of Harrison County
- The Arc of the Mid-Ohio Valley
- The Arc of the Three Rivers
- Division of Homeland Security
- National Guard
- VOAD
- Division of Rehabilitation Services Consumer Affairs Committees
- Division of Rehabilitation Services Executive Management Group
- WV Housing Development Fund
- National Council on Independent Living

SILC Ex-Officio memberships also provide opportunities for collaboration and include:

- DSE – Division of Rehabilitation Services
- Bureau for Behavioral Health
- Bureau of Senior Services
- Housing Development Fund
- Office of Special Education
- Olmstead Coordinator
- WV Association of Rehabilitation Facilities

### **Section 3: Network of Centers**

#### **3.1 Existing Centers**

Current Centers for Independent Living including: legal name; geographic area and counties served; and source(s) of funding. Oversight process, by source of funds (e.g., subchapter B, subchapter C, state funds, etc.) and oversight entity.

Three non-profit corporations receive three Part C grants to operate West Virginia's four centers for independent living:

- 1 - Appalachian CIL (SPIL signatory) - Charleston, WV serving Clay, Boone, Kanawha, and Putnam counties

Elk Office Center, Suite C  
4710 Chimney Drive  
Charleston, WV 25302  
(304) 965-0376  
<http://www.acilinc.com>

Funding includes:

Title VII, Part C – oversight by OILP/ILA/ACL  
Title VII, Part B – oversight by DSE as detailed in Sec. 4.3  
State IL Services – oversight by DSE as detailed in Sec. 4.3  
CARES Act – oversight by OILP/ILA/ACL

CARES Act funding will be used to survey consumers and people with disabilities in outlying areas to identify needs and develop responses; acquire and utilize technology and social media to provide services and resource information; provide access to technology and the Internet to facilitate access to on-line resources; expand transportation; partner/collaborate with other organizations to meet needs of people with disabilities; and purchase and provide resources to respond to pandemic.

## 2 & 3 - Mountain State CILs (SPIL signatory)

(funded by RSA, through two separate grants, as two separate CILs prior to the 1992 amendments to the Rehab Act when RSA recommended collapsing both into one grant)

Huntington, WV serving Cabell and Wayne counties  
821 Fourth Avenue  
Huntington, WV 25701  
(304) 525-3325  
[www.mtstcil.org](http://www.mtstcil.org)

Beckley, WV serving Raleigh County  
329 Prince Street  
Beckley, WV 25801  
(304) 255-0122  
[www.mtstcil.org](http://www.mtstcil.org)

Funding includes:

Title VII, Part C – oversight by OILP/ILA/ACL  
Title VII, Part B – oversight by DSE as detailed in Sec. 4.3  
State IL Services – oversight by DSE as detailed in Sec. 4.3  
CARES Act – oversight by OILP/ILA/ACL

CARES Act funding will be used to survey consumers and people with disabilities in unserved areas to identify needs and develop responses to address food insecurity, housing, medical needs, etc. due to displacement and isolation;

acquire and utilize technology and social media to develop and increase capacity to provide services and resource information; provide access to technology and the Internet to facilitate access to on-line resources; partner/collaborate with other organizations to meet the needs of people with disabilities; and purchase and provide resources to respond to pandemic.

- 4 - Northern West Virginia CIL (SPIL signatory) - Morgantown, WV serving Barbour, Braxton, Doddridge, Gilmer, Harrison, Lewis, Marion, Monongalia, Preston, Randolph, Taylor, Tucker, and Upshur counties

601-603 East Brockway, Suite A & B  
Morgantown, WV 26501  
(304) 296-6091  
and  
109 Randolph Avenue  
Elkins, WV 26241  
(304)636-0143  
[www.nwvcil.org](http://www.nwvcil.org)

Funding includes:

- Title VII, Part C – oversight by OILP/ILA/ACL
- Title VII, Part B – oversight by DSE as detailed in Sec. 4.3
- State IL Services – oversight by DSE as detailed in Sec. 4.3
- CARES Act – oversight by OILP/ILA/ACL

CARES Act funding will be used to survey consumers and people with disabilities in outlying areas to identify needs and develop responses; acquire and utilize technology and social media to provide services and resource information; provide access to technology and the Internet to facilitate access to on-line resources; partner with other organizations to meet needs of people with disabilities; and purchase and provide resources to respond to pandemic.

The remaining 35 counties do not have access to full CIL services.

A web-based, virtual center for independent living has been developed with availability statewide and on the world wide web.

WVCIL divided up the unserved counties between the four CILs to provide the statewide CLSP and, with some modifications, will use this division of counties for the expansion of other independent living programs.

PART C – Core IL Services Counties:

Barbour, Boone, Braxton, Cabell, Clay, Doddridge, Gilmer, Harrison, Kanawha, Lewis, Marion, Monongalia, Preston, Putnam, Randolph, Raleigh, Taylor, Tucker, Upshur, and Wayne

PART B funding is used for the provision of independent living services through contracts with all four CILs and is occasionally used to provide services to individuals with disabilities in counties not served with Part C funds upon request.

STATE IL SERVICES FUNDING is used to provide the Community Living Service Program (CLSP) statewide through contracts (with the three non-profits) for all four CILs.

Counties served by CLSP only:

Appalachian CIL – Calhoun, Greenbrier, Jackson, Nicholas, Pleasants, Ritchie, Roane, Webster, Wirt, Wood

Mountain State CILs – Brooke, Fayette, Hancock, Lincoln, Logan, Marshall, Mason, McDowell, Mercer, Mingo, Monroe, Ohio, Summers, Tyler, Wetzel, Wyoming

Northern WV CILs – Berkeley, Grant, Hampshire, Hardy, Jefferson, Mineral, Morgan, Pendleton, Pocahontas

### 3.2 Expansion and Adjustment of Network

Plan and priorities for use of funds, by funding source, including Subchapter B funds, Subchapter C funds, State funds, and other funds, whether current, increased, or one-time funding and methodology for distribution of funds. Use of funds to build capacity of existing Centers, establish new Centers, and/or increase statewideness of Network.

The establishment of a statewide network of CILs is a priority of WVSILC, the WV CILs, and the disability community to ensure the availability of CIL services to all West Virginians with disabilities.

Three funding sources currently support the provision of independent living services in the State: Title VII, Part C; Title VII, Part B; and state independent living funds. The following design for a statewide network of CILs is addressed by funding source and flexibility is planned as changes/increases in these funding sources occur.

Priorities for the utilization of new Title VII, Part C funding for West Virginia are:

#### **Priority 1.**

Increase Title VII, Part C funding for the current centers for independent living meeting the Federal standards and indicators for CILs to achieve the established minimum funding level in order to sustain current operations, given the increased costs of operating since the CILs were originally funded, and to build the capacity of those CILs. New Part C funds shall be distributed commiserate with the percentages listed below, to increase the CIL Part C grants by the following amounts (until the identified increase amount and established minimum funding level are achieved):

- Appalachian CIL – currently \$208,974 – increase by \$241,026 to reach \$450,000 (21.4593% of all new Part C funding available until the established minimum level is reached)

- Mountain State CILs – currently \$527,893 (to operate 2 CILs) – increase by \$372,107 to reach \$450,000 per CIL (54.2087% of new Part C funding available until the established minimum funding level is reached)
- Northern WV CIL – currently \$236,947 – increase by \$213,053 to reach \$450,000 (24.3318% of new Part C funding available until the minimum funding level is reached)

This will require \$826,186 additional Part C funds for the existing CILs. In order to grow the network, while working to reach the minimum funding level for the existing CILs, the SILC and CILs have agreed that when the Part C appropriation provides an increase of \$400,000 or more, \$200,000 of those funds will be used to start a new CIL in the next priority area and the remainder of the funds will be distributed to existing CILs using the percentages detailed above. State funding appropriated for the general operations of CILs at \$200,000 or more will also be used to start new CILs. As new CILs are established, they will be added to that distribution and the percentages will be adjusted accordingly until all have reached the minimum funding level of \$450,000.

Priorities for establishing new CILs, accounting for the unreasonable size of the Northern West Virginia CIL's service area and allowing NWVCIL to spin off counties for new CILs, are:

**Priority 2:**

Spin off the following counties from NWVCIL service area to establish a new CIL: Barbour, Randolph, Tucker, and Upshur.

Then spin off the following counties from NWVCIL service area to establish an additional new CIL: Braxton, Gilmer, Harrison, and Lewis.

This will result in the remaining NWVCIL service area including Marion, Monongalia, Preston, and Taylor counties.

**Priority 3:**

Establish a new CIL serving the following counties: Brooke, Hancock, Marshall, Ohio, and Wetzel counties.

**Priority 4:**

Establish a new CIL serving the following counties: Greenbrier, Nicholas, Pocahontas, and Webster counties.

**Priority 5:**

Mountain State CILs add Lincoln County to the Huntington service area and add Fayette County to the Beckley service area.



**Priority 6:**

As additional funding (Part C, Part B, and/or State IL funds for the general operation of CILs) becomes available, establish new CILs serving the following counties:

- Mercer, Monroe, and Summers counties;
- Doddridge, Pleasants, Ritchie, Tyler, Wirt, and Wood counties;
- Berkeley, Jefferson, and Morgan counties;
- Calhoun, Jackson, Mason, and Roane counties;
- McDowell, Mingo, Logan, and Wyoming counties; and
- Grant, Hampshire, Hardy, Mineral, and Pendleton counties.

Minimum funding level for a Center and formula/plan for distribution of funds to bring each Center to the minimum. Exceptions must be explained with sufficient detail.

\$450,000 is the established minimum funding level for a CIL in West Virginia excepting that following the details in Priority 1, when an increase in excess of \$400,000 is appropriated, a new CIL may be started with \$200,000.

Action/process for distribution of funds relinquished or removed from a Center and/or if a Center closes.

Part C funds removed from, or relinquished by, an existing CIL shall be used to start a new CIL in the existing service area. If this occurs too late in the fiscal year to complete the RFP and granting process, the remaining Part C funds will be distributed to the remaining CILs based on the percentages in Priority 1 to be used to maintain and/or increase the capacity of the CILs for the remainder of that fiscal year with the RFP process begun for the subsequent fiscal year to establish a new CIL.

Plan/formula for adjusting distribution of funds when cut/reduced.

Any reduction in Part C funding will be absorbed by the existing CILs following the percentages in Priority 1.

If a CIL's office space and/or equipment is destroyed, the CILs and SILC will coordinate efforts and resources to help restore operations.

Plan for changes to Center service areas and/or funding levels to accommodate expansion and/or adjustment of the Network.

Planned CIL service area changes are detailed in Priority 2. Any additional changes to CIL service areas will be detailed and agreed upon by the SILC and CILs in a SPIL amendment.

Plan for one-time funding and/or temporary changes to Center service areas and/or funding levels.

Any one-time funding will be distributed to the existing CIL network following the percentages in Priority 1 to be used to maintain and/or increase the capacity of the CILs. Temporary changes to CIL service area(s) and/or funding levels would be detailed and agreed upon by the SILC and CILs in a SPIL amendment.

#### **Section 4: Designated State Entity**

WV Division of Rehabilitation Services will serve as the entity in West Virginia designated to receive, administer, and account for funds made available to the state under Title VII, Chapter 1, Subchapter B of the Act on behalf of the State. (*Sec. 704(c)*)

##### **4.1 DSE Responsibilities**

- (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 subchapter B, and a program under subchapter C in a case in which the program is administered by the State under section 723;
- (3) keep such records and afford such access to such records as the Administrator finds to be necessary with respect to the programs;
- (4) submit such additional information or provide such assurances as the Administrator may require with respect to the programs; and
- (5) retain not more than 5 percent of the funds received by the State for any fiscal year under Subchapter B. for the performance of the services outlined in paragraphs (1) through (4).

##### **4.2 Grant Process & Distribution of Funds**

Grant processes, policies, and procedures to be followed by the DSE in the awarding of grants of Subchapter B funds.

The West Virginia Division of Rehabilitation Services (WVDRS) is the Designated State Unit for administration of the West Virginia State Plan for Vocational Rehabilitation Services under the Rehabilitation Act of 1973, as amended (hereinafter "the Act"). Upon request by the other parties, WVDRS has agreed to serve as Designated State Entity (DSE) for the State Independent Living Services program as provided by the West Virginia State Plan for Independent Living (SPIL) under the Act. In carrying out its duties and functions as the DSE, WVDRS assures that it will receive, account for, and disburse funds received by the State under Title VII, Part B of the Act in accordance with the approved SPIL. WVDRS also receives and disperses State funds appropriated for Independent Living (IL) Services and for Ron Yost Personal Assistance Services funds. All current grants/contracts are on a continuation basis. The process for ensuring that funds are received and dispersed to the Centers for Independent Living (CILs), and/or the Statewide Independent Living Council (SILC), in a timely fashion include:

1. WVDRS employs a rehabilitation program specialist who serves as the liaison to the CILs and the SILC and rehabilitation services specialist who assists with coordination

2. The rehabilitation program specialist and rehabilitation services specialist work to complete the grants and contracts for both the VII B funds and State IL funds months in advance as they must go through several layers of approval including review and approval by the DSE Director, the State Secretary of Commerce, and the Governor's Office then through the procurement process
3. The CILs and the SILC are funded via a quarterly schedule of payments
4. The CILs and the SILC submit invoices at the beginning of each quarter
5. Invoices are submitted to the rehabilitation program specialist for review and approval
6. The rehabilitation program specialist works with the rehabilitation services specialist who tracks invoices and submits them to the Agency's fiscal unit
7. The Agency's fiscal unit works with the State Auditor's Office for processing payments
8. The rehabilitation program specialist and rehabilitation services specialist work collaboratively with all parties to resolve any issues and ensure funds are received and dispersed to the Centers for Independent Living and/or SILC in a timely fashion

If a change in funding and/or grantees were to occur, a competitive RFP process would be initiated to determine a recipient(s) consistent with the purposes of Sec. 3.2 and this SPIL. Proposals will be reviewed by a team including representatives from the DSE and SILC. Selection of the grant award(s) will be based on compliance with the proposal requirements and the priorities established in Section 3.2.

The DSE IL Liaison will monitor compliance with the grant agreement(s) by reviewing quarterly reports and participating in WVCIL meetings.

#### 4.3 Oversight Process for Subchapter B Funds

The oversight process to be followed by the DSE.

The DSE has a designated Program Specialist to work with the WVCILs to discuss expenditures, program needs, and planning. The Program Specialist is also the designated liaison for the SILC and for independent living.

The DSE continuously monitors, evaluates, and reviews funds and CIL activity through reports on Part B and State IL grants and via participation in WVCIL meetings. The DSE also participates in SPIL progress reviews by having an active member on the Administrative Committee of the SILC. Associations are firm between the directors of the CILs which receive grants under Title VII, Part C and are fostered by the informal association of CILs – the West Virginia Centers for Independent Living, which the DSE liaison participates in as well. The DSE receives

quarterly reports on expenditures of Part B funds and State IL funds. These reports are shared with the SILC Executive Director. Permanent records are kept at the DSE Administrative Offices of all reports, meetings, and other required paperwork.

The process of oversight of funds by the DSE includes:

1. Reviewing quarterly written and expenditure reports from each CIL
2. Reviewing financial reports
3. Reviewing annual reports
4. Reviewing independent audits
5. Reviewing schedule of Net Assets
6. Reviewing budget worksheets

#### 4.4 Administration and Staffing

Administrative and staffing support provided by the DSE.

The DSE provides no staff support to the SILC. As a non-profit corporation, and as required by Section 705 (e)(2) of the Act and 45 CFR 1329.15 (e), the SILC hires, supervises, and evaluates its own staff. Therefore, no conflict of interest exists. The SILC Resource Plan includes personnel costs as well as on-going expenses such as rent, utilities, telephones, Internet service, etc. The DSE will continue to provide technical assistance as needed and to host the SILC website. The DSE will not retain any Part B funds for administrative costs.

#### 4.5 State Imposed Requirements

State-imposed requirements contained in the provisions of this SPIL including: (45 CFR 1329.17(g))

- State law, regulation, rule, or policy relating to the DSE's administration or operation of IL programs

WV State Code, Chapter 18 Article 10M, the WV Independent Living Act, requires funding appropriated for Independent Living Services to be administered by the DSE and to be included in a line item in the DSE's section of the budget. Funding is to be distributed by the DSE as directed by the State Plan for Independent Living required by the federal Rehabilitation Act.

- Rule or policy implementing any Federal law, regulation, or guideline that is beyond what would be required to comply with 45 CFR 1329

None

- That limits, expands, or alters requirements for the SPIL

WV State Code, Chapter 18 Article 10L, the Ron Yost Personal Assistance Services (RYPAS) Act, requires funding appropriated for the program to be administered by the DSE, directly or through contract, that the program be

included in the State Plan for Independent Living, and that the program be directed by the consumer controlled RYPAS board.

#### 4.6 722 vs. 723 State

Check one:

722 (if checked, with move to Section 5)  
 723 (if checked, will move to Section 4.4)

#### 4.7 723 States

Order of priorities for allocating funds amounts to Centers, agreed upon by the SILC and Centers, and any differences from 45 CFR 1329.21 & 1329.22.

How state policies, practices, and procedures governing the awarding of grants to Centers and oversight of the Centers are consistent with 45 CFR 1329.5, 1329.6, & 1329.22.

### **Section 5: Statewide Independent Living Council (SILC)**

#### 5.1 Establishment of SILC

How the SILC is established and SILC autonomy is assured.

The West Virginia SILC is incorporated as a non-profit (1996), has received 501(c)(3) status from the Internal Revenue Service (1997) and is independent of all state agencies, including the DSE. The WVSILC was established in State Code (§18-10M) in 2001, designating the SILC is West Virginia, as it heretofore existed under the federal rehabilitation act, as a non-for-profit corporation, and organized to meet the requirements of the federal act. The SILC develops, approves, and manages its own budget and staff, following its own fiscal and personnel policies. The SILC develops and follows its own bylaws and policies in compliance with state and federal law.

#### 5.2 Resource plan

Resources (including necessary and sufficient funding, staff/administrative support, and in-kind), by funding source and amount, for SILC to fulfill all duties and authorities.

The WVSILC resource plan includes:

- \$228,900 Title I, I&E funds, minimum. The WVSILC resource plan will be re-evaluated each fiscal year to ensure this amount is adequate, necessary, and sufficient for the accomplishment of the SILC's duties and authorities.
- Any interest earned on the above funding will be budgeted and spent by the WVSILC.

To ensure timely disbursement of funds, the DSE will follow the procedures outlined in Sec. 4.2 to ensure effective operations of the SILC, present no undue hardship, and ensure uninterrupted SILC operations.

Process used to develop the Resource Plan.

The SILC executive director and the DSE director negotiated the amount of the resource plan. The SILC executive director provided current expenses and projected increases to demonstrate the amount of resources “necessary & sufficient” for the SILC to carry out its duties and authorities.

Process for disbursement of funds to facilitate effective operations of SILC.

Funding for the SILC Resource Plan will be processed in accordance with a contract including quarterly schedule of advance payments. Some delays in processing payments may occur and the DSE will diligently address issues to facilitate payments, including hand-carrying invoices through the process if needed.

No conditions or requirements will be included in the SILC Resource Plan or contract that compromise the independence and autonomy of the SILC.

### 5.3 Maintenance of SILC

How State will maintain SILC over the course of the SPIL.<sup>1</sup>

The State will continue to maintain the SILC as it has done in the past. The DSE will continue to provide I&E funding and support to ensure the SILC is operating and maintained over the course of the SPIL. The SILC will continue to develop its own budget and will operate with autonomy to fulfill the duties and elected authorities. The SILC will operate under bylaws, policies, and procedures developed and approved by the SILC.

Appointments to the SILC will continue to be made annually by the Governor, from nominations provided by the SILC. SILC policies detail the Nominations Process followed by the SILC. The SILC will continue to solicit applications statewide, review all applications received considering experience & expertise, un- and under-represented areas of the state, and diversity. Nominations will be selected, ensuring the maintenance of a majority of people with disabilities not employed by a CIL or state agency, and approved by the full SILC. Nominations and supporting documents will continue to be reviewed with the Director of the DSE, as a courtesy, and then delivered to and reviewed with staff in the Governor’s Office responsible for processing appointments. SILC staff will continue to maintain records of appointments and term limits and periodically review them with the Governor’s staff to ensure term records match and term limits are enforced.

SILC bylaws govern the election and term of office of the Chairperson and other members of the Executive Committee from among the voting members of the SILC.



- 7.1. The DSE acknowledges its role on behalf of the State, as the fiscal intermediary to receive, account for, and disburse funds received by the State to support Independent Living Services in the State based on the plan;
- 7.2. The DSE will assure that the agency keeps appropriate records, in accordance with federal and state law, and provides access to records by the federal funding agency upon request;
- 7.3. The DSE will not retain more than 5 percent of the funds received by the State for any fiscal year under Subchapter B for administrative expenses;<sup>1</sup>
- 7.4. The DSE assures that the SILC is established as an autonomous entity within the State as required in *45 CFR 1329.14*;
- 7.5. The DSE will not interfere with the business or operations of the SILC that include but are not limited to:
  1. Expenditure of federal funds
  2. Meeting schedules and agendas
  3. SILC board business
  4. Voting actions of the SILC board
  5. Personnel actions
  6. Allowable travel
  7. Trainings
- 7.6. The DSE will abide by SILC determination of whether the SILC wants to utilize DSE staff:
  1. If the SILC informs the DSE that the SILC wants to utilize DSE staff, the DSE assures that management of such staff with regard to activities and functions performed for the SILC is the sole responsibility of the SILC in accordance with Sec. 705(e)(3) of the Act (Sec. 705(e)(3), 29 U.S.C.796d(e)(3)).
- 7.7. The DSE will fully cooperate with the SILC in the nomination and appointment process for the SILC in the State;
- 7.8. The DSE shall make timely and prompt payments to Subchapter B funded SILCs and CILs:
  1. When the reimbursement method is used, the DSE must make a payment within 30 calendar days after receipt of the billing, unless the agency or pass-through entity reasonably believes the request to be improper;
  2. When necessary, the DSE will advance payments to Subchapter B funded SILCs and CILs to cover its estimated disbursement needs for an initial period generally geared to the mutually agreed upon disbursing cycle; and
  3. The DSE will accept requests for advance payments and reimbursements at least monthly when electronic fund transfers are not used, and as often as necessary when



electronic fund transfers are used, in accordance with the provisions of the Electronic Fund Transfer Act (15 U.S.C. 1693-1693r).

The signature below indicates this entity/agency's agreement to: serve as the DSE and fulfill all the responsibilities in Sec. 704(c) of the Act; affirm the State will comply with the aforementioned assurances during the three-year period of this SPIL; and develop, with the SILC, and ensure that the SILC resource plan is necessary and sufficient (in compliance with section 8, indicator (6) below) for the SILC to fulfill its statutory duties and authorities under Sec. 705(c) of the Act, consistent with the approved SPIL.<sup>1</sup>

Marijane K. Waldron, Director  
Name and Title of DSE director/authorized representative  
Marijane K. Waldron 6-2-20  
Signature Date

Electronic signature may be used for the purposes of submission, but hard copy of signature must be kept on file by the SILC.

**Section 8: Statewide Independent Living Council (SILC) Assurances and Indicators of Minimum Compliance**

8.1 Assurances

Anne O. Weeks acting on behalf of the SILC West Virginia Statewide Independent Living Council, Inc. located at PO Box 625, 5010 D Fairlawn Avenue, WV 25112-0625 304-766-4624 aoweeks@mtstcil.org 45 CFR 1329.14

assures that:

- (1) The SILC regularly (not less than annually) provides the appointing authority recommendations for eligible appointments;
- (2) The SILC is composed of the requisite members set forth in the Act;<sup>1</sup>
- (3) The SILC terms of appointment adhere to the Act;<sup>1</sup>
- (4) The SILC is not established as an entity within a State agency in accordance with 45 CFR Sec. 1329.14(b);
- (5) The SILC will make the determination of whether it wants to utilize DSE staff to carry out the functions of the SILC;
  - a. The SILC must inform the DSE if it chooses to utilize DSE staff;
  - b. The SILC assumes management and responsibility of such staff with regard to activities and functions performed for the SILC in accordance with the Act.<sup>1</sup>
- (6) The SILC shall ensure all program activities are accessible to people with disabilities;
- (7) The State Plan shall provide assurances that the designated State entity, any other agency, office, or entity of the State will not interfere with operations of the SILC, except as provided by law and regulation and;

- (8) The SILC actively consults with unserved and underserved populations in urban and rural areas that include, indigenous populations as appropriate for State Plan development as described in Sec. 713(b)(7) the Act regarding Authorized Uses of Funds.<sup>1</sup>

#### Section 8.2 Indicators of Minimum Compliance

Indicators of minimum compliance for Statewide Independent Living Councils (SILC) as required by the Rehabilitation Act (Section 706(b), 29 U.S.C. Sec 796d-1(b)), as amended and supported by 45 CFR 1329.14-1329.16; and Assurances for Designated State Entities (DSE) as permitted by Section 704(c)(4) of the Rehabilitation Act (29 U.S.C. Sec. 796c(c)(4)), as amended.

#### (a) STATE INDEPENDENT LIVING COUNCIL INDICATORS. –

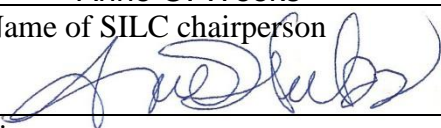
##### (1) SILC written policies and procedures must include:

- a. A method for recruiting members, reviewing applications, and regularly providing recommendations for eligible appointments to the appointing authority;
  - b. A method for identifying and resolving actual or potential disputes and conflicts of interest that are in compliance with State and federal law;
  - c. A process to hold public meetings and meet regularly as prescribed in 45 CFR 1329.15(a)(3);
  - d. A process and timelines for advance notice to the public of SILC meetings in compliance with State and federal law and 45 CFR 1329.15(a)(3);
  - e. A process and timeline for advance notice to the public for SILC “Executive Session” meetings, that are closed to the public, that follow applicable federal and State laws;
    - i. “Executive Session” meetings should be rare and only take place to discuss confidential SILC issues such as but not limited to staffing.
    - ii. Agendas for “Executive Session” meetings must be made available to the public, although personal identifiable information regarding SILC staff shall not be included;
  - f. A process and timelines for the public to request reasonable accommodations to participate during a public Council meeting;
  - g. A method for developing, seeking and incorporating public input into, monitoring, reviewing and evaluating implementation of the State Plan as required in 45 CFR 1329.17; and
  - h. A process to verify centers for independent living are eligible to sign the State Plan in compliance with 45 CFR 1329.17(d)(2)(iii).
- (2) The SILC maintains regular communication with the appointing authority to ensure efficiency and timeliness of the appointment process.
- (3) The SILC maintains individual training plans for members that adhere to the SILC Training and Technical Assistance Center’s SILC training curriculum.

- (4) The SILC receives public input into the development of the State Plan for Independent Living in accordance with 45 CFR 1329.17(f) ensuring:
- a. Adequate documentation of the State Plan development process, including but not limited to, a written process setting forth how input will be gathered from the state's centers for independent living and individuals with disabilities throughout the state, and the process for how the information collected is considered.
  - b. All meetings regarding State Plan development and review are open to the public and provides advance notice of such meetings in accordance with existing State and federal laws and 45 CFR 1329.17(f)(2)(i)-(ii);
  - c. Meetings seeking public input regarding the State Plan provides advance notice of such meetings in accordance with existing State and federal laws, and 45 CFR 1329.17(f)(2)(i);
  - d. Public meeting locations, where public input is being taken, are accessible to all people with disabilities, including, but not limited to:
    - i. proximity to public transportation,
    - ii. physical accessibility, and
    - iii. effective communication and accommodations that include auxiliary aids and services, necessary to make the meeting accessible to all people with disabilities.
  - e. Materials available electronically must be 508 compliant and, upon request, available in alternative and accessible format including other commonly spoken languages.
- (5) The SILC monitors, reviews and evaluates the State Plan in accordance with 45 CFR 1329.15(a)(2) ensuring:
- a. Timely identification of revisions needed due to any material change in State law, state organization, policy or agency operations that affect the administration of the State Plan approved by the Administration for Community Living.
- (6) The SILC State Plan resource plan includes:
- a. Sufficient funds received from:
    - i. Title VII, Subchapter B funds;
      - 1. If the resource plan includes Title VII, Subchapter B funds, the State Plan provides justification of the percentage of Subchapter B funds to be used if the percentage exceeds 30 percent of Title VII, Subchapter B funds received by the State;
    - ii. Funds for innovation and expansion activities under Sec. 101(a)(18) of the Act, 29 U.S.C. Sec. 721(a)(18), as applicable;
    - iii. Other public and private sources.
  - b. The funds needed to support:
    - i. Staff/personnel;
    - ii. Operating expenses;

- iii. Council compensation and expenses;
- iv. Meeting expenses including meeting space, alternate formats, interpreters, and other accommodations;
- v. Resources to attend and/or secure training and conferences for staff and council members and;
- vi. Other costs as appropriate.

The signature below indicates the SILC's agreement to comply with the aforementioned assurances and indicators:

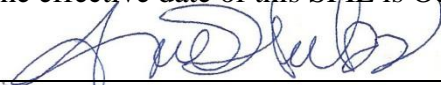
Anne O. Weeks  
 Name of SILC chairperson  
  
 Signature 11-18-2020  
Date

Electronic signature may be used for the purposes of submission, but hard copy of signature must be kept on file by the SILC.

**Section 9: Signatures**


The signatures below are of the SILC chairperson and at least 51 percent of the directors of the centers for independent living listed in section 6.3. These signatures indicate that the West Virginia Statewide Independent Living Council, Inc. and the centers for independent living in the state agree with and intend to fully implement this SPIL's content. These signatures also indicate that this SPIL is complete and ready for submission to the Independent Living Administration, Administration for Community Living, U.S. Department of Health and Human Services.

The effective date of this SPIL is October 1, \_\_\_\_\_ (year)

  
 SIGNATURE OF SILC CHAIRPERSON 11-18-2020  
DATE

Anne O. Weeks  
 NAME OF SILC CHAIRPERSON

Appalachian Center for Independent Living  
 NAME OF CENTER FOR INDEPENDENT LIVING (CIL)

  
 SIGNATURE OF CIL DIRECTOR 11-18-2020  
DATE

Larry Paxton  
 NAME OF CIL DIRECTOR

Mountain State Centers for Independent Living

NAME OF CENTER FOR INDEPENDENT LIVING (CIL)



11-18-2020

SIGNATURE OF CIL DIRECTOR

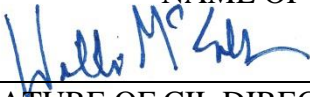
DATE

Anne O. Weeks

NAME OF CIL DIRECTOR

Northern West Virginia Center for Independent Living

NAME OF CENTER FOR INDEPENDENT LIVING (CIL)



11-18-2020

SIGNATURE OF CIL DIRECTOR

DATE

Willis McCollam

NAME OF CIL DIRECTOR

Electronic signatures may be used for the purposes of submission, but hard copy of signature must be kept on file by the SILC.