

**SPIL Revision Instrument 11.0 10-06
10/20/2006**

State: NORTH DAKOTA

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

**Chapter 1, Title VII of the Rehabilitation Act of 1973, as
Amended**

**STATE INDEPENDENT LIVING SERVICES (SILS) PROGRAM
PART B**

**CENTERS FOR INDEPENDENT LIVING (CIL) PROGRAM
PART C**

FISCAL YEARS 2008 – 2010

Effective Date: October 1, 2007 – September 30, 2010

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PART I: Assurances

State of: North Dakota

Section 1: Legal Basis and Certifications

- 1.1 The designated State unit (DSU) eligible to submit the State Plan for Independent Living (SPIL or the plan) and authorized under State law to perform the functions of the State under the State Independent Living Services (SILS) and Centers for Independent Living (CIL) programs is Division of Vocational Rehabilitation 34 CFR 76.104(a)(1) and (2); 34 CFR 364.22(a)
- 1.2 The separate State agency eligible to submit the plan and authorized under State law to provide vocational rehabilitation (VR) services to individuals who are blind is N/A. Indicate N/A if not applicable. 34 CFR 76.104(a)(1) and (2); 34 CFR 364.20(d) and 364.22(c)
- 1.3 The Statewide Independent Living Council (SILC) that meets the requirements of section 705 of the Act and is authorized to perform the functions outlined in section 705(c) of the Act in the State is North Dakota Statewide Independent Living Council. 34 CFR 364.21(a)
- 1.4 The DSU and, if applicable, the separate State agency authorized to provide VR services to individuals who are blind, and the SILC are authorized to jointly develop, sign and submit this SPIL on behalf of the State, and have adopted or otherwise formally approved the SPIL. 34 CFR 76.104(a)(7); 34 CFR 364.20(c) and (d)
- 1.5 The DSU, and, if applicable, the separate State agency authorized to provide VR services to individuals who are blind, may legally carry out each provision of the plan and will comply with all applicable Federal statutes and regulations in effect with respect to the three-year period it receives funding under the SPIL. 34 CFR 76.104; 34 CFR 80.11(c)
- 1.6 The SPIL is the basis for State operation and administration of the program. All provisions of the SPIL plan are consistent with State law. 34 CFR 76.104(a)(4) and (8)
- 1.7 The representative(s) of the DSU and, if applicable, of the separate State agency authorized to provide VR services to individuals who are blind, who has/have the authority under State law to receive, hold, and disburse Federal funds made available under the SPIL and to submit the SPIL jointly with the SILC chairperson is/are: Nancy McKenzie and N/A. 34 CFR 76.104(a)(5) and (6)

Section 2: SPIL Development

- 2.1 The plan shall be reviewed and revised not less than once every three years, to ensure the existence of appropriate planning, financial support and coordination, and other assistance to appropriately address, on a statewide and comprehensive basis, the needs in the State for:
- (A) The development and support of a statewide network of centers for independent living; and
 - (B) The provision of State independent living services;
 - (C) Working relationships between programs providing independent living services and independent living centers, the vocational rehabilitation program established under title I, and other programs providing services for individuals with disabilities. *34 CFR 364.20(f)*
- 2.2 The DSU and SILC conduct public meetings to provide all segments of the public, including interested groups, organizations and individuals, an opportunity to comment on the State plan prior to its submission to the Commissioner and on any revisions to the approved State plan. *34 CFR 20(g)(1)*
- 2.3 The DSU and SILC establish and maintain a written description of procedures for conducting public meetings in accordance with the following requirements:
- The DSU and SILC shall provide:
- i. Appropriate and sufficient notice of the public meetings (that is, at least 30 days prior to the public meeting through various media available to the general public, such as newspapers and public service announcements, and through specific contacts with appropriate constituency groups and organizations identified by the DSU and SILC);
 - ii. Reasonable accommodation to individuals with disabilities who rely on alternative modes of communication in the conduct of the public meetings, including providing sign language interpreters and audio-loops; and
 - iii. Public meeting notices, written material provided prior to or at the public meetings, and the approved State plan in accessible formats for individuals who rely on alternative modes of communication. *34 CFR 364.20(g)(2)*
- 2.4 At the public meetings to develop the State plan, the DSU and SILC identify those provisions in the SPIL that are State-imposed requirements beyond what would be required to comply with the regulations in 34 CFR parts 364, 365, 366, and 367. *34 CFR 364.20(h)*

- 2.5 The DSU will seek to incorporate into and describe in the State plan any new methods or approaches for the provision of IL services to older individuals who are blind that are developed under a project funded under chapter 2 of title VII of the Act and that the DSU determines to be effective. *34 CFR 364.28*
- 2.6 The DSU and SILC actively consult, as appropriate, in the development of the State plan with the director of the Client Assistance Program (CAP) authorized under section 112 of the Act. *34 CFR 364.20(e)*

Section 3: Independent Living Services

- 3.1 The State, directly or through grants or contracts, will provide IL services with Federal, State, or other funds. *34 CFR 364.43(b)*
- 3.2 Independent living services shall be provided to individuals with significant disabilities in accordance with an independent living plan mutually agreed upon by an appropriate staff member of the service provider and the individual, unless the individual signs a waiver stating that such a plan is unnecessary. *34 CFR 364.43(c)*
- 3.3 All service providers will use formats that are accessible to notify individuals seeking or receiving IL services under chapter 1 of title VII about:
 - (a) The availability of the CAP authorized by section 112 of the Act;
 - (b) The purposes of the services provided under the CAP; and
 - (c) How to contact the CAP. *34 CFR 364.30*
- 3.4 Participating service providers meet all applicable State licensure or certification requirements. *34 CFR 365.31(c)*

Section 4: Eligibility

- 4.1 Any individual with a significant disability, as defined in 34 CFR 364.4(b), is eligible for IL services under the SILS and CIL programs authorized under chapter 1 of title VII of the Act. Any individual may seek information about IL services under these programs and request referral to other services and programs for individuals with significant disabilities, as appropriate. The determination of an individual's eligibility for IL services under the SILS and CIL programs meets the requirements of 34 CFR 364.51. *34 CFR 364.40(a), (b) and (c)*
- 4.2 Service providers apply eligibility requirements without regard to age, color, creed, gender, national origin, race, religion or type of significant disability of the individual applying for IL services. *34 CFR 364.41(a)*

- 4.3 Service providers do not impose any State or local residence requirement that excludes any individual who is present in the State and who is otherwise eligible for IL services from receiving IL services. *34 CFR 364.41(b)*

Section 5: Staffing Requirements

- 5.1 Service provider staff includes personnel who are specialists in the development and provision of IL services and in the development and support of centers. *34 CFR 364.23(a)*
- 5.2 To the maximum extent feasible, a service provider makes available personnel able to communicate:
- (1) With individuals with significant disabilities who rely on alternative modes of communication, such as manual communication, nonverbal communication devices, Braille or audio tapes, and who apply for or receive IL services under title VII of the Act and (2) in the native languages of individuals with significant disabilities whose English proficiency is limited and who apply for or receive IL services under title VII of the Act. *34 CFR 364.23(b)*
- 5.3 Service providers establish and maintain a program of staff development for all classes of positions involved in providing IL services and, if appropriate, in administering the CIL program. The staff development programs emphasize improving the skills of staff directly responsible for the provision of IL services, including knowledge of and practice in the IL philosophy. *34 CFR 364.24*
- 5.4 All recipients of financial assistance under parts B and C of chapter 1 of title VII of the Act will take affirmative action to employ and advance in employment qualified individuals with significant disabilities on the same terms and conditions required with respect to the employment of individuals with disabilities under section 503 of the Act. *34 CFR 364.31*

Section 6: Fiscal Control And Fund Accounting

- 6.1 All recipients of financial assistance under parts B and C of chapter 1 of title VII of the Act will comply with applicable EDGAR fiscal and accounting requirements and will adopt those fiscal control and fund accounting procedures as may be necessary to ensure the proper disbursement of and accounting for those funds. *34 CFR 364.34*

Section 7: Recordkeeping, Access and Reporting

- 7.1 In addition to complying with applicable EDGAR recordkeeping requirements, all recipients of financial assistance under parts B and C of chapter 1 of title VII of the Act will maintain records that fully disclose and document:
- a) The amount and disposition by the recipient of that financial assistance;
 - b) The total cost of the project or undertaking in connection with which the financial assistance is given or used;
 - c) The amount of that portion of the cost of the project or undertaking supplied by other sources;
 - d) Compliance with the requirements of chapter 1 of title VII of the Act and Part 364 of the regulations; and
 - e) Other information that the Commissioner determines to be appropriate to facilitate an effective audit. *34 CFR 364.35(a) and (b)*
- 7.2 All recipients of financial assistance under parts B and C of chapter 1 of title VII of the Act will submit reports that the Commissioner determines to be appropriate with respect to the records that are required by 34 CFR 364.35 and .36
- 7.3 All recipients of financial assistance under parts B and C of chapter 1 and chapter 2 of title VII of the Act will provide access to the Commissioner and the Comptroller General, or any of their duly authorized representatives, to the records listed in 34 CFR 364.37 for the purpose of conducting audits, examinations and compliance reviews. *34 CFR 364.37*

Section 8: Protection, Use and Release of Personal Information

- 8.1 Each service provider will adopt and implement policies and procedures to safeguard the confidentiality of all personal information, including photographs and lists of names in accordance with the requirements of 34 CFR 364.56(a)(1-6). *34 CFR 364.56(a)*

Part II: Narrative

Section 1: Goals, Objectives and Activities

1.1 Goals and Mission – 34 CFR 364.42(b)(1)

1.1A Describe the overall goals and mission of the State's IL programs and services. The SPIL must address the goals and mission of both the SILS and the CIL programs.

The mission of the Statewide Independent Living Council (SILC) is to guide the development of the Independent Living (IL) system in North Dakota through the active involvement of people with disabilities.

The Statewide Independent Living Council, with the Designated State Unit (DSU) and CIL representatives have established the following three overall goals under its plan for federal fiscal years 2008-2010 and has determined them to be consistent with its mission and Title VII, Chapter 1 of the Act.

Center for Independent Living (CIL) representatives are active participants in all SILC meetings, two of the CILs hosted the public hearings for this SPIL and all CILs distributed public input flyers and SPIL needs assessments during Spring 2007. In addition, CIL representatives have been consulted regarding the compatibility of the SPIL with their goals and missions and have assisted in the development and review of this attachment and the entire SPIL.

GOAL 1

Maintain a cross-disability, consumer-controlled statewide independent living council with active committees to accomplish SILC goals and objectives.

GOAL II

Identify needs and develop legislative and funding strategies that support the implementation of the SPIL and the development of a statewide network of IL services.

GOAL III

Heighten awareness and understanding of the Independent Living philosophy and services.

1.2 Objectives – 34 CFR 364.42(a)(1) and (d); 34 CFR 364.32; 34 CFR 364.33

1.2A *Specify the objectives to be achieved and the time frame for achieving them*

GOAL 1

SILC will maintain a cross-disability, consumer-controlled council with active committees to accomplish its goals and objectives.

Objectives:

- A. Update Membership recruitment plan and include strategies to target hard to fill positions. Evaluate recruitment plan on an annual basis.

Estimated Financial Obligation: \$500
Activity and Evaluation Measure: A plan is developed & implemented by December 2007

- B. Develop training plan based on annual survey of training needs that will provide ongoing education on IL philosophy, IL services, disability legislation, effective committee work, leadership, and other pertinent issues on a quarterly basis at SILC meetings.

Estimated Financial Obligation: \$500
Activity and Evaluation Measure: A plan is developed & implemented by August of each year and training is provided at each SILC meeting.

- C. Provide orientation training for new members, that will include education on roles and responsibilities of the SILC and it's committees, IL philosophy & IL services.

Estimated Financial Obligation: \$500
Activity and Evaluation Measure: Orientation is provided to new members at the beginning of their term.

- D. The SILC President will appoint committee members and chairs to implement the SPIL goals and objectives.

Estimated Financial Obligation: \$0
Activity and Evaluation Measure: Committee appointments are made as needed and at a minimum at the annual meeting each May.

- E. The committees will develop annual work plans that will be reviewed by the Council

Estimated Financial Obligation: \$2500
Activity and Evaluation Measure: Committees submit their work plans each August.

- F. The committees will report on the progress of their assigned goals and objectives quarterly.

Estimated Financial Obligation: \$0
Activity and Evaluation Measure: The reports are provided each quarter and the goals are met.

GOAL II

Identify needs and develop legislative and funding strategies that support the implementation of the SPIL and the development of a statewide network of IL services.

Objectives

- A. Conduct continuing consumer needs assessment regarding Independent Living Services in North Dakota.
1. The SILC, CILs, VR and State Rehabilitation Council (SRC) will hold forums to get consumer and interagency planning input at least **every three years**.
 2. The CILs and SILC will continue to identify the needs of unserved and underserved populations such as: Native Americans, people who live in nursing facilities and institutions on an **ongoing** basis.
 3. Center for Independent Living demographic data will be evaluated **annually** and compared with other data maintained on people with disabilities throughout the state to determine unserved and underserved populations.
 4. Counties not receiving services will be identified and their needs assessed **at least once every three years**.

5. Review various agency and Center for Independent Living plans and needs assessments **annually**.

Estimated Financial Obligation: \$1000
Activity and Evaluation Measure: Activities will be completed by their due dates and forums will be conducted, input gathered and discussed and incorporated into the SPIL by May 2010.

- B. Research, identify and contract with an individual or individuals to assist in developing a legislative working plan.

1. The SILC will mobilize its members to contact community members and local legislators concerning IL issues to implement the plan.

Estimated Financial Obligation \$2000
Activity and Evaluation Measure: A work plan is developed and implemented no later than September 30, 2008

- C. Center for Independent Living directors will work with their board, staff, consumers and the public on an ongoing basis to inform congresspersons and legislators about IL issues.

Estimated Financial Obligation: \$500
Activity and Evaluation Measure: CIL quarterly reports reflect activity.

- D. The SILC will work with the North Dakota Disabilities Advocacy Consortium (NDDAC) to identify and pursue opportunities for collaboration among disability organizations that will improve the lives of people with disabilities.

1. Identify SILC Liaison and alternate to the NDDAC.
2. Identify SILC priorities and convey them to the NDDAC.
3. SILC Legislative Committee will discuss issues/position to bring to consortium meetings.

Estimated Financial Obligation: \$75
Activity and Evaluation Measure: SILC's priorities and issues are presented to the NDDAC and adopted where possible.

E. Pursue increased commitment of state dollars to support Centers for Independent Living and the development of a statewide network of IL services.

1. SILC, Centers for Independent Living, and the Designated State unit (DSU) will meet at least once per biennium to establish budgetary priorities before the submission of the Department of Human Services/Vocational Rehabilitation budget to the Governor.
2. The SILC and SRC will hold a joint meeting in the spring of 2008 when the budget is being developed.

Estimated Financial Obligation: \$0
Activity and Evaluation Measure: Meetings will be held and priorities established by May 2008.

F. Support centers for independent living in their pursuit of alternate funding.

1. The SILC will provide letters in support of federal, state and /or other grant applications or fee for service opportunities made by CILs.
2. The SILC will provide testimony to support increased funding for IL services.

Estimated Financial Obligation: \$0
Activity and Evaluation Measure: Letters of support are provided and testimony written as appropriate.

G. Develop and implement an annual resource plan that identifies available funding and how it will be utilized for the organized development of the statewide network of centers, in May of each year.

1. Facilitate stable funding for centers for independent living using state and federal monies to achieve a base level funding of \$350,000 per center.
2. Once the base level is achieved, then a minimum of \$50,000 per center will be used to establish a branch office.
3. During the period of this SPIL, the SILC will study and develop a plan for distribution of new funding for Centers once funding levels in 1 and 2 above are met.

Estimated Financial Obligation: \$0
Activity and Evaluation Measure: The resource plan will be completed by May each year and a plan for distribution of new funds developed by September 30, 2010.

GOAL III

Heighten awareness and understanding of the Independent Living philosophy and services.

Objectives:

A. The SILC and CILs will collaborate with the Designated State Unit to increase public awareness regarding independent living during the November 2007 public education campaign.

1. Establish a Speakers Bureau; public education materials, brochures, websites, etc.
2. Develop fact sheet /philosophy/services on independent living that all SILC members could use.

Estimated Financial Obligation: \$5,000
Activity and Evaluation Measure: Speakers Bureau established and public education materials developed and disseminated by September 30, 2008.

B. Centers for Independent Living will hold IL training and workshops based on needs expressed in their regions.

Estimated Financial Obligation: \$0
Activity and Evaluation Measure: CIL 704 reports describe the training and workshops held in each region.

C. Continue open communication among the Statewide Independent Living Council (SILC), State Rehabilitation Council (SRC), Centers for Independent Living, the Designated State Unit (DSU), the North Dakota Disabilities Advocacy Consortium (NDDAC), and other disability-related organizations as appropriate.

1. Use membership on State Rehabilitation Council (SRC) to share information and develop joint projects at quarterly SRC meetings.
 - a. Coordinate a meeting to discuss and agree upon the budgeting process each biennium.
2. Explore the possibility of joint meetings with identified parties to improve communication and collaboration.
 - a. CILs initiate contact with VR Offices to hold in-service on independent living.

3. SILC will identify disability-related organizations and invite them to SILC meetings.

Estimated Financial Obligation: \$0
Activity and Evaluation Measure: Open communication; budget agreed upon and developed by May 2010.

- D. Create Annual Reports on SILC and CIL activities and results.

Estimated Financial Obligation: \$2,000
Activity and Evaluation Measure: Reports are published and distributed each year no later than March.

- E. Explore the possibility of holding 2 statewide Independent Living conferences for consumers and providers during the time the SPIL is in effect.

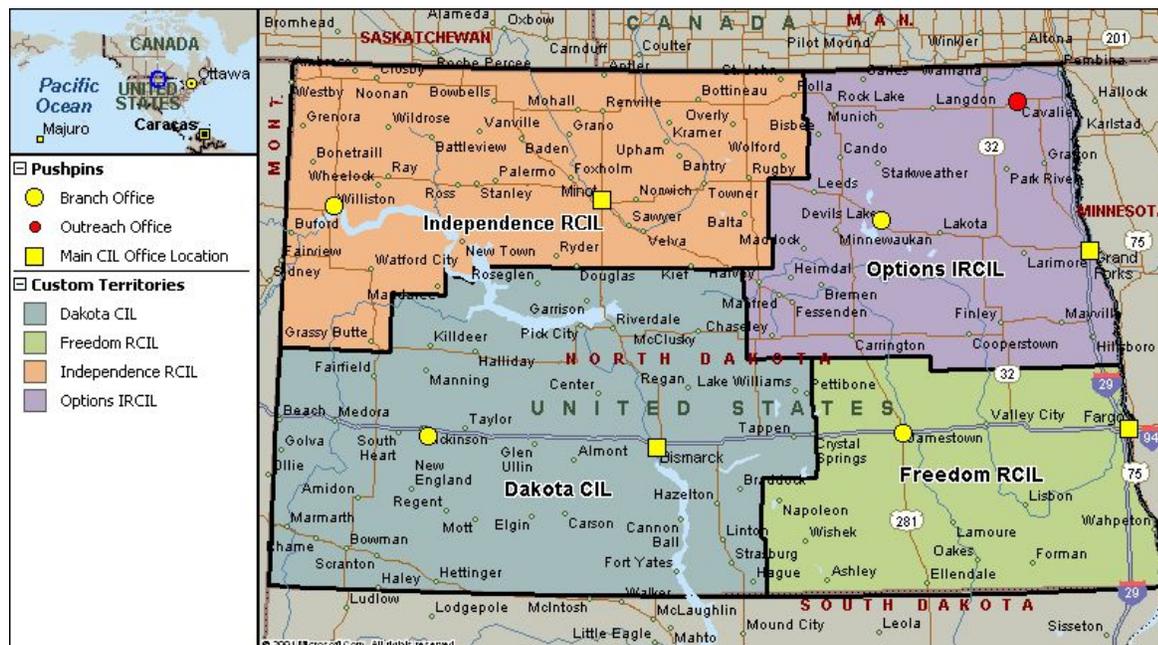
1. Participate in the joint IL/VR conference October 2007.
2. Explore various additional conference opportunities and conduct or schedule a second conference in collaboration with other entities.
3. Contact the Community Rehabilitation Program Rehabilitation Continuing Education Program (CRP RCEP) and ILRU for possible assistance with the conference.

Estimated Financial Obligation: \$10,000 per conference
Activity and Evaluation Measure: Independent Living/VR conference is held October 2007. Plans for a second conference are underway prior to September 30, 2010.

1.2B Describe the steps planned regarding **outreach** to populations in the State that are unserved or underserved by programs under title VII, including minority groups and urban and rural populations. This section of the SPIL must:

- Identify the populations to be designated for targeted outreach efforts;
- Identify the geographic areas (i.e., communities) in which the targeted populations reside; and
- Describe how the needs of individuals with significant disabilities from minority group backgrounds will be addressed.

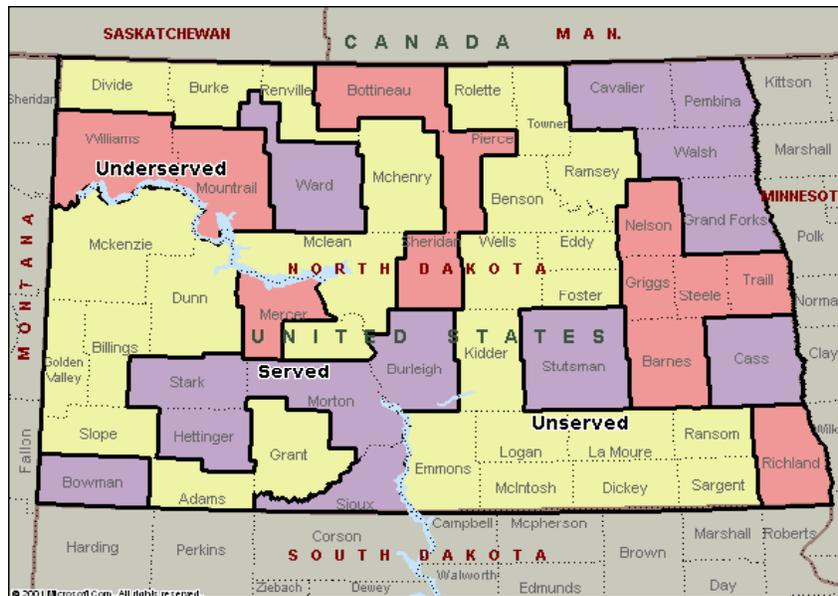
The North Dakota Statewide Independent Living Council has divided the state into four quadrants, with each to have a full service center for independent living and a branch office. Currently, two Centers for Independent Living (CILs), Freedom in Fargo, and Dakota in Bismarck, have branch offices in Jamestown and Dickinson, respectively. Options in Grand Forks has an outreach office in Cavalier. The map below illustrates the locations of the four services areas, full service centers and branch office locations.



Service demographics were recently analyzed and are depicted on the map below to identify unserved and underserved populations and ethnic groups with low service representation. Service evaluation criteria is compared with the United States Census data to assist in the development of strategies to serve those populations identified.

Outreach activities are conducted by CILs throughout the North Dakota service area by contacting various entities including schools, nursing homes, social service agencies, senior centers, tribal eldercare, hospitals, clinics, businesses, not-for-profit agencies, and participating in various activities including health fairs and conferences.

The following map shows the statewide breakdown by county of served, underserved and unserved areas.



Outreach plans for FFY 2008-2010 will target all ages and cross disabilities:

CILs are part of local radio and television broadcasts and newspaper articles about independent living philosophy, history, and services. During this 3-year state plan the SILC and CILs will collaborate with the Designated State Unit to increase public awareness regarding independent living during the November 2007 public education campaign.

Newsletters are published and disseminated by each CIL. Topics focus on needs defined by people with disabilities, family members, service providers, and general community.

The CILs conduct evaluations of services to assess consumer needs and satisfaction with services.

Collaborative opportunities between the Centers of Independent Living and state departments in North Dakota will continue during this SPIL period.

Continue the delivery of services to people with disabilities within the current “served” North Dakota counties while developing mechanisms for funding expansion into unserved areas of the state.

Assist people to transition out of or prevent entry into nursing facilities and other institutions so they can live independently in communities of their choice with home and community based services.

Collaborate with the state agency administering the *Money Follows the Person Grant* to expand and enhance statewide implementation of home and community based services.

Continue Transition services for youth as they move from high school to employment and independent living.

In addition to the outreach activities described above further activities specific to minority populations include the following:

Continue efforts to collaborate with the 121 Project staff and Tribal Government Representatives.

Support the statewide Traumatic Brain Injury Implementation Grant for American Indians.

1.3 Financial Plan – 34 CFR 364.42(a)(2) and (3); 34 CFR 364.29

Describe in sections 1.3A and 1.3B, below, the financial plan for the use of Federal and non-Federal funds to meet the SPIL objectives.

1.3A Financial Plan Tables

Complete the financial plan tables covering years 1, 2 and 3 of this SPIL. The first column in each of the tables lists the potential SPIL funding sources. The four other columns represent the potential uses of funds. For each funding source, provide estimated dollar amounts anticipated for the applicable uses. To the extent possible, the tables and narratives must reflect the applicable financial information from centers for independent living. Refer to the SPIL Instructions for additional information about completing the financial tables and narratives.

Insert additional rows for the specific funding sources and amounts expected within the categories of Other Federal Funds and Non-Federal Funds.

Year 1

Sources	Approximate Funding Amounts and Uses			
	SILC Resource Plan	IL Services	General CIL Operations	Other SPIL Activities
Title VII Funds				
Chapter 1, Part B	\$18,459		\$295,647	
Chapter 1, Part C			\$784,879	
Chapter 2, Individuals Who are Older Blind				
Other Federal Funds				
Sec. 101(a)(18) of the Act (Innovation and Expansion)				
Other (SSA Program Income)			\$122,062	
Non-Federal Funds				
State Funds			\$273,020	
Other				

Year 2

Sources	Approximate Funding Amounts and Uses			
	SILC Resource Plan	IL Services	General CIL Operations	Other SPIL Activities
Title VII Funds				
Chapter 1, Part B	\$18,459		\$295,647	
Chapter 1, Part C			\$784,879	
Chapter 2, Individuals Who are Older Blind				
Other Federal Funds				
Sec. 101(a)(18) of the Act (Innovation and Expansion)				
Other (SSA Program Income)			\$122,062	
Non-Federal Funds				
State Funds			\$273,020	
Other				

Year 3

Sources	Approximate Funding Amounts and Uses			
	SILC Resource Plan	IL Services	General CIL Operations	Other SPIL Activities
Title VII Funds				
Chapter 1, Part B	\$18,459		\$295,647	
Chapter 1, Part C			\$784,879	
Chapter 2, Individuals Who are Older Blind				
Other Federal Funds				
Sec. 101(a)(18) of the Act (Innovation and Expansion)				
Other (SSA Program Income)			\$122,062	
Non-Federal Funds				
State Funds			\$273,020	
Other				

1.3B Financial Plan Narratives

1.3B(1) Describe efforts to coordinate Federal and State funding for centers and IL services, including the amounts, sources and purposes of the funding to be coordinated.

All Federal and State funds are coordinated and used for SILC Operations and Center for Independent Living services.

1.3B(2) Describe any in-kind resources including plant, equipment or services to be provided in support of the SILC resource plan, IL services, general CIL operations and/or other SPIL objectives.

N/A

1.3B(3) Provide any additional information about the financial plan, as appropriate.

N/A

1.4 Compatibility with Title VII and the CIL Work plans – 34 CFR 364.42(c) and (e)

1.4A Describe how the SPIL objectives are consistent with and further the purpose of chapter 1 of title VII of the Act as stated in section 701 of the Act and 34 CFR 364.2.

The SPIL goals and objectives were developed to further the purpose of Chapter 1 Title VII of the Act while at the same time meeting the needs in North Dakota. As demonstrated in Section 1.2 of this SPIL, the goals and objectives reflect Section 701 of the Act in that they:

Promote a philosophy of independent living, including a philosophy of consumer control, peer support, self-determination, equal access, and individual, self-help, self-determination, equal leadership, empowerment, independence, and productivity of individuals with significant disabilities, and the integration and full inclusion of such individuals into the mainstream of American society.

Provide financial assistance for providing, expanding, or improving the provision of IL services.

Provide assistance to develop and support a statewide network of Centers for Independent Living (CILs) operated by consumer-controlled, community-based cross-disability, non-residential private non-private agencies that are operated within local communities by individuals with disabilities and that provide an array of IL services.

Provide strategies to improve working relationships among the various entities affecting the lives of people with significant disabilities.

- 1.4B *Describe how, in developing the SPIL objectives, the DSU and the SILC considered and incorporated, where appropriate, the priorities and objectives established by centers for independent living under section 725(c)(4) of the Act.*

The CILs are actively involved throughout the year in all aspects of the SILC meetings and activities. North Dakota Century Code also requires 2 CIL directors be SILC members, which goes beyond the federal statute which requires one CIL director. In addition, all 4 Directors, or their representatives, attend the quarterly SILC meetings. Center for Independent Living staff and Directors who are not members of the SILC are also active on various committees of the SILC.

Both the SILC and DSU have actively supported the CILs for several years, and have agreed that all Title VII Part B funds, and additional state funds not needed for the operation of the SILC, be distributed to the CILs.

Center for Independent Living Directors and/or staff were involved in the development of this SPIL and have been consulted to ensure that the objectives reflect their priorities and objectives to the extent possible. In addition, because the CILs receive the majority of the funds distributed through this SPIL, the SILC relies on the CILs to carry out many of the SPIL objectives. Consequently the SILC makes every effort to ensure that the SPIL objectives are consistent with and support the CILs individual objectives.

1.5 Cooperation, Coordination, and Working Relationships Among Various Entities – 34 CFR 364.26

Describe the steps that will be taken to maximize the cooperation, coordination and working relationships among:

- a) *The SILS program, the SILC, and centers; and*
- b) *The DSU, 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.*

The description must identify the entities with which the DSU and the SILC will cooperate and coordinate.

The SILC has developed several objectives in this SPIL that foster cooperation, coordination and working relationships among many entities including the CILs, the DSU, the SRC and others. Because all Title VII, Chapter 1, Part B funds go to SILC and CIL operations there no SILS programs in North Dakota.

Accomplishment of the objectives and corresponding action steps will be assigned to SILC committees or the CILs, where appropriate, with reports on progress provided by committee chairs at the SILC meetings. Examples of cooperation and collaboration include holding a joint meeting with the Statewide Rehabilitation Council (SRC) at least once every two years, participation on the North Dakota Disability Advocacy

Consortium, and extending invitations to various disability-related agencies to attend the SILC meetings.

Primary entities with whom the SILC and DSU will cooperate and coordinate include, but are not limited to, the following:

*North Dakota Disabilities Advocacy Consortium
North Dakota Center for Persons with Disabilities
North Dakota Department of Human Services – Aging Programs
Medical Services/Money Follows the Person Grant
State Rehabilitation Council (SRC)
Veterans Organizations
Protection and Advocacy
Vocational Rehabilitation
Mental Health Association
Client Assistance
American Indian Groups*

In addition, to start out this SPIL, in October 2007 North Dakota will hold it's first-ever joint Independent Living/Vocational Rehabilitation statewide conference. Representatives from the SILC, State Rehabilitation Council (SRC), Centers for Independent Living and Designated State Unit staff are all involved in the planning. To support participation of IL and VR consumers, the Client Assistance Program and the SILC are offering stipends to consumers so they can attend the joint conference as well.

1.6 Coordination of Services – 34 CFR 364.27

Describe how IL services funded under chapter 1 of title VII of the Act will be coordinated with and complement other services to avoid unnecessary duplication with other Federal, State, and local programs, including the OIB program authorized by chapter 2 of title VII of the Act, that provide IL- or VR-related services.

All Chapter 1, Title VII, Part B funds are used exclusively for SILC operations and for contracts with the four Centers for Independent Living operating in North Dakota. These four CILs are also the exclusive recipients of Title VII, Part C funds in the state.

Both the SILC and the CILs remain committed to coordination, collaboration and avoidance of all unnecessary duplication of services. All recognize that resources are too scarce to do otherwise. In addition, many of the objectives in section 1.2 of this SPIL are designed to foster communication and collaboration among the various agencies and organizations within North Dakota who work with people with disabilities of all ages.

1.7 Independent Living Services for Individuals who are Older Blind – 34 CFR 364.28

Describe how the DSU seeks to incorporate into and describe in the State plan any new methods or approaches for the provision of IL services to older individuals who are blind that are developed under the Older Individuals who are Blind program and that the DSU determines to be effective.

Funds received in North Dakota for services to older individuals who are blind are allocated for Vision Rehabilitation Specialists (VRS) located in the DSU’s regional offices and for Older Blind (OB) consumer purchases. The Designated State Unit’s IL liaison consults with the administrator of the Older Blind program on a regular basis and periodically attends meetings at which the Vision Rehabilitation Specialists are present. At this time the Older Blind program administrator and the vision rehab specialists are analyzing procedural and procurement methods to improve efficiencies. At the time this SPIL is being developed there are no new methods or approaches to incorporate into the SPIL.

Section 2: Scope, Extent and Arrangements of Services

2.1 Scope and Extent – 34 CFR 364.42(b)(2)(3); 34 CFR 364.43(b); 34 CFR 364.59(b)

2.1A *Check the appropriate boxes in the SPIL Instrument table indicating the types of IL services to be provided to meet the objectives identified in section 1.2 of this SPIL, and whether the services will be provided by the CILs or by the DSU (directly and/or through contract or grant).*

Table 2.1A(1): Independent living services	Provided by the DSU (directly)	Provided by the DSU (through contract and/or grant)	Provided by the CILs (Not through DSU contracts/ grants)
Core Independent Living Services, as follows:			
- Information and referral		✓	✓
- IL skills training		✓	✓
- Peer counseling		✓	✓
- Individual and systems advocacy		✓	✓
Counseling services, including psychological, psychotherapeutic, and related services			

Table 2.1A(1): Independent living services	Provided by the DSU (directly)	Provided by the DSU (through contract and/or grant)	Provided by the CILs (Not through DSU contracts/ grants)
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)			✓
Rehabilitation technology			
Mobility training	✓		
Services and training for individuals with cognitive and sensory disabilities, including life skills training, and interpreter and reader services			✓
Personal assistance services, including attendant care and the training of personnel providing such services			✓
Surveys, directories and other activities to identify appropriate housing, recreation, accessible transportation and other support services			✓
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			✓
Education and training necessary for living in the community and participating in community activities			✓
Supported living			
Transportation, including referral and assistance for such transportation			✓
Physical rehabilitation			
Therapeutic treatment			
Provision of needed prostheses and other appliances and devices			
Individual and group social and recreational services			✓

Table 2.1A(1): Independent living services	Provided by the DSU (directly)	Provided by the DSU (through contract and/or grant)	Provided by the CILs (Not through DSU contracts/ grants)
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			✓
Services for children with significant disabilities			
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			✓
Appropriate preventive services to decrease the need of individuals with significant disabilities for similar services in the future			
Community awareness programs to enhance the understanding and integration into society of individuals with disabilities			✓
Other necessary services not inconsistent with the Act			

2.1B Describe any service provision priorities, including types of services or populations, established for meeting the SPIL objectives identified in section 1.2.

The SPIL's 3 goals represent the overall priorities of maintaining an active, consumer-controlled SILC to accomplish SPIL objectives; identify funding strategies to support statewide network of IL services; and increase awareness and understanding of IL philosophy and services.

Within that framework, the SPIL highlights three areas as it relates to service provision priorities including emphasizing services for persons living in institutional settings, students utilizing transition services as well as the expansion of services to unserved areas of the State. In addition, the CILs received the results of the statewide needs assessment that identified ongoing needs related to funding, transportation, housing, services, and employment.

Centers are required to annually review the SPIL to coordinate their efforts by including priorities with their Annual Work Plans. The CIL Annual Work Plans are reviewed on an annual basis by the SILC to insure they are consistent and that adequate progress is being made related to these statewide efforts.

2.1C *If the State allows service providers to charge consumers for the cost of services or to consider the ability of individual consumers to pay for the cost of IL services, specify the types of IL services for which costs may be charged and for which a financial need test may be applied, and describe how the State will ensure that:*

- (i) *Any consideration of financial need is applied uniformly so that all individuals who are eligible for IL services are treated equally; and*
- (ii) *Written policies and consumer documentation required by 34 CFR 364.59(d) will be kept by the service provider.*

N/A

2.2 Arrangements for State-Provided Services – 34 CFR 364.43(d) and (e)

2.2A *If the DSU will provide any of these IL services through grants or contractual arrangements with third parties, describe such arrangements.*

Mobility Training is provided by Vision Specialist Rehabilitation Teachers through the Older Blind Program, Title VII, Chapter 2.

2.2B *If the State contracts with or awards a grant to a center for the general operation of the center, describe how the State will ensure that the determination of an individual's eligibility for services from that center shall be delegated to the center.*

The four centers with the State contracts with are also Part C centers. As such they must meet federal standards and assurances for CILs and are responsible for all aspects of IL services including determining eligibility.

Section 3: Design for the Statewide Network of Centers

3.1 Existing Network – 34 CFR 364.25

3.1A *Provide an overview of the existing network of centers, including non-Part C-funded centers that comply with the standards and assurances in section 725 (b) and (c) of the Act, and the geographic areas and populations currently served by the centers.*

The design for CIL network has not changed from previous years. The state of North Dakota is divided into four quadrants with one CIL located in each. The CILs are located in North Dakota's major cities: Fargo, Grand Forks, Minot, and Bismarck. The two branch offices are in Jamestown, a branch of Fargo's Center, and in Dickinson, a branch of Bismarck's Center. The Grand Forks Center has an outreach office in Cavalier.

This design was created to divide the state based on population and geography. The western part of the state has a lower population, which makes the geographic area covered by western CILs slightly larger than the eastern part. The needs geographically have remained the same since the plan was designed, but the CILs need additional funds not only to establish branch offices, but to expand their services into the outlying counties of their identified service areas. The CILs and the SILC are making outreach efforts to specific underserved and unserved disability groups. There is ongoing effort to reach out to American Indians on and off reservations.

3.2 Expansion of Network – 34 CFR 364.25

3.2A Describe the design for the further expansion of the network, including identification of the unserved and underserved areas in the State and the order of priority for serving these areas as additional funding becomes available (beyond the required cost-of-living increase).

The SILC is committed to supporting the CILs in their growth without demanding they establish branch offices before the financial resources are available to maintain their main offices effectively. As each CIL reaches a base funding level of \$350,000, they will establish branch offices.

1. Our plan does not include a priority for establishing new CILs. We believe that we can offer the necessary IL services to citizens with disabilities using the four main CILs and their identified branch offices as funding allows.
2. The CILs were awarded \$250,000 from the 2007 Legislative session for the upcoming biennium to provide services within their service delivery area. The offices that received the funds are Independence, Freedom, and Options. Dakota did not receive any of these funds because they are at or above the \$350,000 funding level. Outreach/branch offices may be established if it is financially feasible.
3. The SILC uses the SPIL as a basis for establishing priorities. It identifies needs based on consumer satisfaction as well as on information gathered at open forum meetings. Census data is consulted as well as information shared by VR and other agencies that work with people with disabilities statewide.

3.3 Section 723 States Only – 34 CFR 364.39

3.3A If the State follows an order of priorities for allocating funds among centers within a State that is different from what is outlined in 34 CFR 366.22, describe the alternate order of priority that the DSU director and the SILC chair have agreed upon. Indicate N/A if not applicable.

N/A

3.3B *Describe how the State policies, practices and procedures governing the awarding of grants to centers and the oversight of these centers are consistent with 34 CFR 366.37 and 366.38.*

N/A

Section 4: DSU

4.1 Administrative Support Services – 34 CFR 364.4; 34 CFR 364.22(b)

4.1A *Describe the administrative support services to be provided by the DSU for the SILS (Part B) program and, if the State is a Section 723 State, for the CIL (Part C) program.*

All Part B funds and the corresponding state match are used for SILC operations and for contracts with the four Part C CILs providing services in the state.

In addition to the Independent Living program administrator/SILC liaison who works with the SILC and the CILs, the DSU continues to provide a support staff who works directly with the President of the SILC and committee chairs as requested. This service allows the President and SILC committee to conduct business with minimal problems.

Additional administrative support services include:

- Coordinates arrangements for SILC and committee meeting sites
- Notifies members of dates and time
- Processes all travel and honorarium reimbursement requests
- Records, transcribes, and distributes meeting minutes
- Provides clerical support to SILC committees as requested
- Assists in the preparation of the 704 report and the Title VII State Plan
- Orders supplies for the SILC

4.1B *Describe other DSU arrangements for the administration of the IL program, if any.*

N/A

Section 5: SILC

5.1 Resource Plan – 34 CFR 364.21(i)

5.1A *Describe the resource plan prepared by the SILC in conjunction with the DSU for the provision of resources, including staff and personnel, made available under parts B and C of chapter 1 of title VII, section 101(a)(18) of the Act, and from other public and private sources that may be necessary to carry out the functions of the SILC identified in section 705(c). The description must address the three years of this SPIL.*

North Dakota receives Title VII, Part B and state general funds for Independent Living services. The general funds are in excess of what is required for the state match.

The Statewide Independent Living Council (SILC) determines how all funds for independent living (IL) are used, in accord with the goals and objectives of the State Plan. Resource Plan categories include the following:

1. Council Operations

- Honorariums for members who are unemployed or must forfeit wages in order to attend meetings or otherwise perform Council duties.
- Per Diem reimbursement at current state rate for lodging and travel while performing Council duties.
- Expenses for disability related accommodations for Council members while attending to Council duties.
- Meeting room rental and other costs associated with holding meetings.
- Alternative formats.

2. State Plan for Independent Living Development

- Forums to obtain input for SPIL.
- Development of an Annual Report for Independent Living

3. Funding

- Related expenses for budget priority meetings with the designated state unit and related government entities.
- Expenses related to acquisition of alternative funding sources.
- Expenses related to educating legislators and working with the North Dakota Disability Advocacy Consortium (NDDAC).
- Expenses related to contracting with an organization/individual to provide legislative leadership to SILC.

4. IL Education & Training

- Funding for the IL conference
- Training opportunities related to Independent Living (IL) for SILC members.

- Training/Conference opportunities for CIL staff
- Cross disability awareness opportunities for SILC members.
- Development of a training plan.

The projected Resource Plan is below. Adjustments may be made by the Council as necessary during the three years this State Plan is in effect based on estimated revenue pending legislative action.

RESOURCE PLAN

	FFY 2008	FFY 2009	FFY 2010
COUNCIL OPERATIONS			
Alternate Format	\$200	\$200	\$200
Lodging/Travel	\$6,631	\$6,631	\$6,631
Honorarium	\$674	\$674	\$674
Accommodations	\$100	\$100	\$100
Member Recruitment	\$1,250	\$1,250	\$1,250
SPIL DEVELOPMENT			
SPIL Forums			\$500
DUES			
ND Disability Advocacy Consortium	\$75	\$75	\$75
ND Human Rights Commission	\$50	\$50	\$50
NCIL	\$143	\$143	\$143
IL EDUCATION & TRAINING			
Conferences	\$9,350	\$9,350	\$8,850
TOTAL	\$18,473	\$18,473	\$18,473

5.1B Describe how the following **SILC resource plan** requirements will be addressed:

- *The SILC's responsibility for the proper expenditure of funds and use of resources that it receives under the resource plan.*
- *Non-inclusion of conditions or requirements in the SILC resource plan that may compromise the independence of the SILC.*
- *Reliance, to the maximum extent possible, on the use of resources in existence during the period of implementation of the State plan.*

All expenditures related to council operations and SPIL development is sent through the DSU for payment. Expenditures relating to dues and Independent Living education and training are voted on by SILC. The Resource Committee also provides an expense report at each Statewide Independent Living Council meeting.

Other than review by the DSU to ensure EDGAR and other regulatory requirements are met, there are no conditions or requirements placed on SILC's expenditure of funds.

The SILC monitors the budget on a regular basis and the Resource Committee provides an expense report at the quarterly meetings. The SILC approves all expenditures and uses these funds during the timeframe of the SPIL.

5.2 Establishment and Placement – 34 CFR 364.21(a)

5.2A Describe how the establishment and placement of the SILC ensures its independence with respect to the DSU and all other State agencies

The SILC was established through Public Law 102-569 Title VII and North Dakota Century Code (NDCC) 50-06.5 and is part of the State government structure as one of the Boards and Commissions appointed by the Governor. Therefore, the SILC is placed within the State's organizational structure in the Governor's Office.

5.3 Appointment and Composition – 34 CFR 364.21(b) – (f)

5.3A Describe the process used by the State to appoint members to the SILC who meet the composition requirements in section 705(b).

The Governor makes all appointments to the SILC.

The Governor's Office relies on the SILC's Nomination Committee to give them the composition and qualification requirements for each potential candidate for membership that is submitted at that time. The Council also provides to the Governor's Office a list of qualified candidates for each position. The Governor can then select from that list or select a qualified candidate of his choosing that is not on the list that is provided by the SILC.

Term limits are maintained and updated as needed by the Nominations Committee. Statewide Independent Living Council vacancies are filled through contacts given by SILC members, CIL directors, VR Directors/counselors statewide, and the Governor's Office. Membership notices are also sent once a year to various disability organizations to place in their newsletters.

The officers, including the Chair, are selected by submitting a list of interested members and then voted on by SILC.

5.4 Staffing – 34 CFR 364.21(j)

5.4A Describe how the following SILC staffing requirements will be met:

- *SILC supervision and evaluation, consistent with State law, of its staff and other personnel as may be necessary to carry out its functions.*
- *Non-assignment of duties to SILC staff and other personnel made available by the DSU, or any other State agency or office, that would create a conflict of interest while assisting the SILC in carrying out its duties.*

The SILC has no paid staff. All work relating to the council is done by council members, CILs, and the DSU. To address conflict of interest issues, *SILC Operational Guidelines* state the following: “To avoid any potential for **conflict of interest**, individuals who hold positions of authority in organizations providing Independent Living services shall not be eligible candidates for the position of President, or Vice President, nor Chair any committee directly responsible for providing recommendations pertaining to the allocation of Independent Living funds.”

In addition, DSU personnel provide administrative support as described in *Section 4.1*. The DSU IL Program Administrator/SILC Liaison provides technical assistance and support as requested by the SILC and as necessary to comply with Title VII, Chapter 1, Part B requirements. When carrying out those duties, no other duties are assigned that would create a conflict of interest.

Section 6: Service Provider Requirements

Describe how the following service provider requirements will be met:

6.1 Staffing – 34 CFR 364.23; 34 CFR 364.24; 34 CFR 364.31

- *Inclusion of personnel who are specialists in the development and provision of IL services and in the development and support of centers.*
- *Availability, to the maximum extent feasible, of personnel able to communicate (1) with individuals with significant disabilities who rely on alternative modes of communication, such as manual communication, nonverbal communication devices, Braille, or audio tapes and (2) in the native languages of individuals with significant disabilities whose English proficiency is limited and who apply for or receive IL services under title VII of the Act.*
- *Establishment and maintenance of a program of staff development for all classes of positions involved in providing IL services and, where appropriate, in administering the CIL program, improving the skills of staff directly responsible for the provision of IL services, including knowledge of and practice in the IL philosophy.*
- *Affirmative action to employ and advance in employment qualified individuals with significant disabilities on the same terms and conditions required with respect to the employment of individuals with disabilities under section 503 of the Act.*

The DSU contracts/grant agreements with the CILs include references to meeting the requirements of 34 CFR 364 & 366, which includes staffing described above.

All Centers in North Dakota employ staff who are specialists in providing IL services, and who are able to communicate with a wide variety of individuals including those who may rely on alternative modes of communication.

All of North Dakota's Centers have staff development plans in place, which offer a wide variety of classes, trainings and continuing education opportunities for both Board and Staff development.

All of North Dakota's Centers take affirmative action to employ, and advance in employment, qualified individuals with significant disabilities. Over fifty percent of the Center's staff and board are people with various types of disabilities.

The DSU and SILC will participate as active members of the on-site review committees as carried out by the Rehabilitation Services Administration during each of the reviews of the four CILs located within the State and insure that appropriate policies and procedures are fulfilled to insure compliance with the aforementioned. During interim periods each CIL and the SILC's 704 reports will be evaluated to insure compliance.

6.2 Fiscal Control and Fund Accounting – 34 CFR 364.34

- *Adoption of those fiscal control and fund accounting procedures as may be necessary to ensure the proper disbursement of and accounting for funds made available through parts B and C of chapter 1 of title VII of the Act, in addition to complying with applicable EDGAR fiscal and accounting requirements.*

The DSU contract with the CILs contains the requirement to comply with all applicable fiscal requirements including EDGAR.

Fiscal Control:

North Dakota Vocational Rehabilitation uses an accounting system maintained by the Department of Human Services.

Fund Accounting:

North Dakota Vocational Rehabilitation uses a modified accrual basis of accounting, consistent with other agencies of the state of North Dakota. Modified accrual accounting is used to show the flow of financial assets of the funds and balances available for spending at year-end.

Each of North Dakota CILs follow its established fiscal policies and allocation plan as approved by the Department of Education and will be responsible for monitoring and maintaining records of their expenditures to assure compliance with EDGAR fiscal and accounting requirements.

6.3 Record-Keeping, Access and Reporting – 34 CFR 364.35; 34 CFR 364.36; 34 CFR 364.37

- *Maintenance of records that fully disclose and document the information listed in 34 CFR 364.35.*
- *Submission of annual performance and financial reports, and any other reports that the Secretary determines to be appropriate.*
- *Access to the Commissioner and the Comptroller General, or any of their duly authorized representatives, for the purpose of conducting audits, examinations, and compliance reviews, to the information listed in 34 CFR 364.37.*

Record-Keeping:

NDVR maintains supporting documentation of accounting transactions on-site for the current and one prior fiscal year. North Dakota Vocational Rehabilitation maintains supporting documentation, as required by state and federal regulation, for at least three (3) years after the final financial status report is filed for each fiscal year.

Access:

North Dakota Vocational Rehabilitation accounting records are available for review, either at North Dakota Vocational Rehabilitation office in Bismarck.

Reporting:

The DSU is included in the State Auditors annual audit of the North Dakota Department of Human Services.

Each grant agreement includes the duties individual contractors (CILs) must fulfill as it relates to financial and programmatic records. Including retention of records, access to records, and types. On a periodic basis the Department of Human Services randomly audits records of a specific time period to insure that generally accepted accounting principals are practiced and that the requests for reimbursements properly reflect the business transactions of the organization. The DSU and SILC will participate as active members of the on-site review committees as carried out by the Rehabilitation Services Administration during each of the reviews of the four CILs located within the State and insure that appropriate policies and procedures are fulfilled to insure compliance with the aforementioned.

The North Dakota SILC, if funds are available, will provide technical assistance to centers upon request.

6.4 Eligibility – 34 CFR 364.40; 34 CFR 364.41

- *Eligibility of any individual with a significant disability, as defined in 34 CFR 364.4(b), for IL services under the SILS and CIL programs.*
- *Ability of any individual to seek information about IL services under these programs and to request referral to other services and programs for individuals with significant disabilities.*
- *Determination of an individual's eligibility for IL services under the SILS and CIL programs in a manner that meets the requirements of 34 CFR 364.51.*
- *Application of eligibility requirements without regard to age, color, creed, gender, national origin, race, religion, or type of significant disability of the individual applying for IL services.*
- *Non-exclusion from receiving IL services of any individual who is present in the State and who is otherwise eligible for IL services, based on the imposition of any State or local residence requirement.*

The DSU contracts/grant agreements include references to meeting the requirements of 34 CFR 364 & 366, which includes eligibility.

In accordance with 34 CFR 364.40(a), all CIL's must comply with, and assure that any individual with a significant disability, as defined in Sec. 364.4(b), is eligible for IL services under the SILS and CIL programs authorized under chapter 1 of title VII of the Act.

In accordance with 34 CFR 364.40(b), all CIL's must comply with, and assure that any individual may seek information about IL services under these programs and request referral to other services and programs for individuals with significant disabilities, as appropriate.

In determining an individual's eligibility for IL services, all CIL's must comply with the requirements set forth in 34 CFR 364.51.

In accordance with 34 CFR 364.41(a), all CIL's must assure that eligibility requirements are applied without regard to age, color, creed, gender, National origin, race, religion, or type of significant disability of the individual applying for IL services.

In accordance with 34 CFR 364.41(b), CIL's do not impose State or local residency requirements that would exclude under the plan any individual who is present in the State and who is otherwise eligible for IL services from receiving IL services.

The DSU and SILC will participate as active members of the on-site review committees as carried out by the Rehabilitation Services Administration during each of the reviews of the four CILs located within the State and insure that appropriate policies and

procedures are fulfilled to insure compliance with the aforementioned. During interim periods each CIL and the SILC's 704 reports will be evaluated to insure compliance

6.5 Independent Living Plans – 34 CFR 364.43(c)

- *Provision of IL services in accordance with an IL plan complying with Sec. 364.52 and mutually agreed upon by the individuals with significant disabilities and the appropriate service provider staff unless the individual signs a waiver stating that an IL plan is unnecessary.*

The DSU contracts/grant agreements include references to meeting the requirements of 34 CFR 364 & 366, which includes IL plans.

All CIL's are required to notify all consumers of their right to develop or waive the development of an ILP.

The DSU and SILC will participate as active members of the on-site review committees as carried out by the Rehabilitation Services Administration during each of the reviews of the four CILs located within the State and insure that appropriate policies and procedures are fulfilled to insure compliance with the aforementioned. During interim periods each CIL and the SILC's 704 reports will be evaluated to insure compliance.

6.6 Client Assistance Program (CAP) Information – 34 CFR 364.30

- *Use of accessible formats to notify individuals seeking or receiving IL services under chapter 1 of title VII about the availability of the CAP program, the purposes of the services provided under the CAP, and how to contact the CAP.*

The North Dakota CILs provide information to every consumer, in written and other accessible formats, about the availability and purpose of the CAP program and how to contact this program.

Each of North Dakota's CILs will be responsible for following its identified methods of assuring that consumers are notified of availability of the North Dakota Client Assistance Program and its corresponding contact information in a format that is accessible to the consumer being served.

6.7 Protection, Use and Release of Personal Information – 34 CFR 364.56(a)

- *Adoption and implementation of policies and procedures meeting the requirements of 34 CFR 364.56(a), to safeguard the confidentiality of all personal information, including photographs and lists of names.*

The North Dakota CILs maintain written policies to assure and safeguard the confidentiality of all personal information, and release of information forms are used to comply with 34 CFR 364.56(a).

Each of North Dakota's CILs will be responsible for following its identified method of assuring consumer information is kept confidential and that its policy for acquiring signed releases of information prior to sharing information about individual consumers with other services providers or entities is strictly adhered to.

The DSU and SILC will participate as active members of the on-site review committees as carried out by the Rehabilitations Services Administration during each of the reviews of the four CILs located within the State and insure that appropriate policies and procedures are fulfilled to insure compliance with the aforementioned.

Section 7: Evaluation

7.1A Describe the method that will be used to periodically evaluate the effectiveness of the plan in meeting the objectives established in Section 1. The description must include the State's evaluation of satisfaction by individuals with significant disabilities who have participated in the program. 34 CFR 364.38

Evaluation is recognized as a significant step in determining the effectiveness of the independent living services delivery system. The following process is used by the Statewide Independent Living Council to regularly review its objectives and timeframes. A matrix of yearly activities has been developed so that the Council's quarterly meetings reflect these objectives and timeframes.

1. The Council will review progress towards meeting the objectives of the State Plan four times a year.
2. The Council will require Independent Living Centers to use a uniform format for reporting their quarterly activities. These reports, at a minimum, should include the number of consumers served, and services provided. Information about outreach and community education and development activities will be included in these quarterly reports. These reports are to be produced in a timely and consistent manner.
3. Each center for independent living will provide an annual 704 report outlining the way in which it is complying with the standards, assurances and indicators, and progress in meeting their stated goals, objectives, and timelines.
4. Each center for independent living will conduct a consumer satisfaction survey at least annually. The results of these surveys will be reported to the Council.
5. The Evaluation Committee will review each center for independent living through use of the following: Quarterly reports, 704 reports, and Consumer Satisfaction Surveys and present those findings to the full Council.
6. Each consumer will be advised of the existence of the Client Assistance Program and the process they may follow if they have a complaint against a center for independent living. The Council will request a report from the Client Assistance

Program at the end of the fiscal year regarding Client Assistance activities initiated by Independent Living consumers.

Section 8: State-Imposed Requirements

8.1A Identify any State-imposed requirements contained in the provisions of this SPIL.

N/A.