

State: NORTH DAKOTA

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

**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 2011 – 2013

Effective Date: October 1, 2010 – September 30, 2013

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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: Russell Cusack, Director, Division of Vocational Rehabilitation 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)*

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.

MISSION

People with disabilities in North Dakota live independently and participate fully in the communities of their choice.

The Designated State Unit (DSU), with the Statewide Independent Living Council and CIL representatives have established the following three overall goals under its plan for federal fiscal years 2011-2013 and has determined them to be consistent with its mission and Title VII, Chapter 1 of the Act.

All Part B funds, along with the corresponding state match, are used exclusively for SILC operations and for contracts with the CILs in North Dakota.

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 2010. 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 I

The Statewide Independent Living Council continues to maintain an active cross-disability, consumer-controlled membership.

GOAL II

Persons' with disabilities needs are identified and met.

GOAL III

North Dakota citizens are aware of the Independent Living philosophy and available 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 I

The Statewide Independent Living Council continues to maintain an active cross-disability, consumer-controlled membership.

Objectives:

- A. The Membership Committee has strategies to fill positions with active members with diverse backgrounds on an annual basis.
 - 1. The Membership Committee communicates with the Governor's Office regarding membership at least twice a year.

- B. The SILC members are made knowledgeable about the roles and responsibilities of the SILC and its committees, IL philosophy, and IL services during their first term on the council.
 - 1. Develop a mentorship program for new SILC members by 2013.
 - 2. As part of the orientation program, each new member will tour a CIL within the first year of their term.
 - 3. The Orientation Committee has training materials to make new members knowledgeable on the roles and responsibilities of the SILC and its committees, IL philosophy, and IL services.
 - 4. Committee members and chairs are appointed by the SILC President to monitor implementation of the SPIL goals and objectives.
 - 5. Each committee develops an annual work plan that is reviewed by the Council.

GOAL II

Persons' with disabilities needs are identified and met.

Objectives

- A. SILC members and CILs obtain knowledge of the consumer needs regarding IL services in North Dakota on an ongoing basis.
 - 1. Conduct continuing consumer needs assessments regarding Independent Living Services in North Dakota.
 - 2. The SILC, CILs, VR, and State Rehabilitation Council (SRC) hold forums to get consumer and interagency planning input at least every three years.
 - 3. The CILs continue to identify the needs of unserved and underserved populations on an ongoing basis.

4. The CILs demographic data is evaluated annually and compared with other data maintained on people with disabilities throughout the state to determine unserved and underserved populations.
 5. The SILC reviews the results of CILs consumer satisfaction surveys annually.
- B. Upon identifying needs, CILs, with collaboration of other agencies, serves as a vehicle to identify services and distribute information to benefit consumers.
1. A SILC Member or CIL Director will attend meetings that were identified in the needs assessment, such as transportation expansion and accessible housing, as they arise to advocate for the needs of the disability community and will provide a report to the SILC.
 2. Maintain open communication with service providers and legislators to educate and inform them of consumer needs on an on-going basis.

GOAL III

North Dakota citizens are aware of the Independent Living philosophy and available services.

Objectives:

- A. The SILC, DSU, and CILs collaborate to increase public awareness regarding independent living on an ongoing basis.
1. Develop public education materials, such as brochures, websites, etc.
 2. Develop a fact sheet that includes the philosophy and services on independent living that all SILC members could use.
- B. The SILC encourages the CILs attendance at training and workshops annually based on needs expressed in their regions.
- C. The SILC, State Rehabilitation Council (SRC), Centers for Independent Living, the Designated State Unit (DSU), and other disability-related organizations maintain open communication on an ongoing basis.
1. The SRC and SILC share information and collaborate on projects at joint meetings.
 - a. Coordinate a meeting to discuss the needs of individuals with disabilities on a biennial basis.

2. CILs and Regional VR Offices are made aware of the services provided by each entity on an annual basis.
 - a. CILs staff and VR staff continue joint meetings to maintain communication and collaboration.
 3. SILC invites disability-related organizations to meetings annually.
- D. The SILC members are available to provide information to local legislators and policy makers concerning IL issues and philosophy on an ongoing basis.
1. With the guidance of the SILC, the Legislative Committee tracks bills that are pertinent to IL and provides a report to the council during legislative sessions. This information will be used to inform consumers on statewide IL issues.

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.*

In order to identify unserved populations within the State of North Dakota, an analysis of age range, ethnicity, gender, and disability group of those persons receiving Direct Service was compared to rates found within the general population. Following is a summary of the results.

As reported by the North Dakota Neighborhood Community profile, persons receiving services are representative of the State population across age groups, gender and ethnicity. Gender data, on a regional level, shows no gender bias compared to the general population.

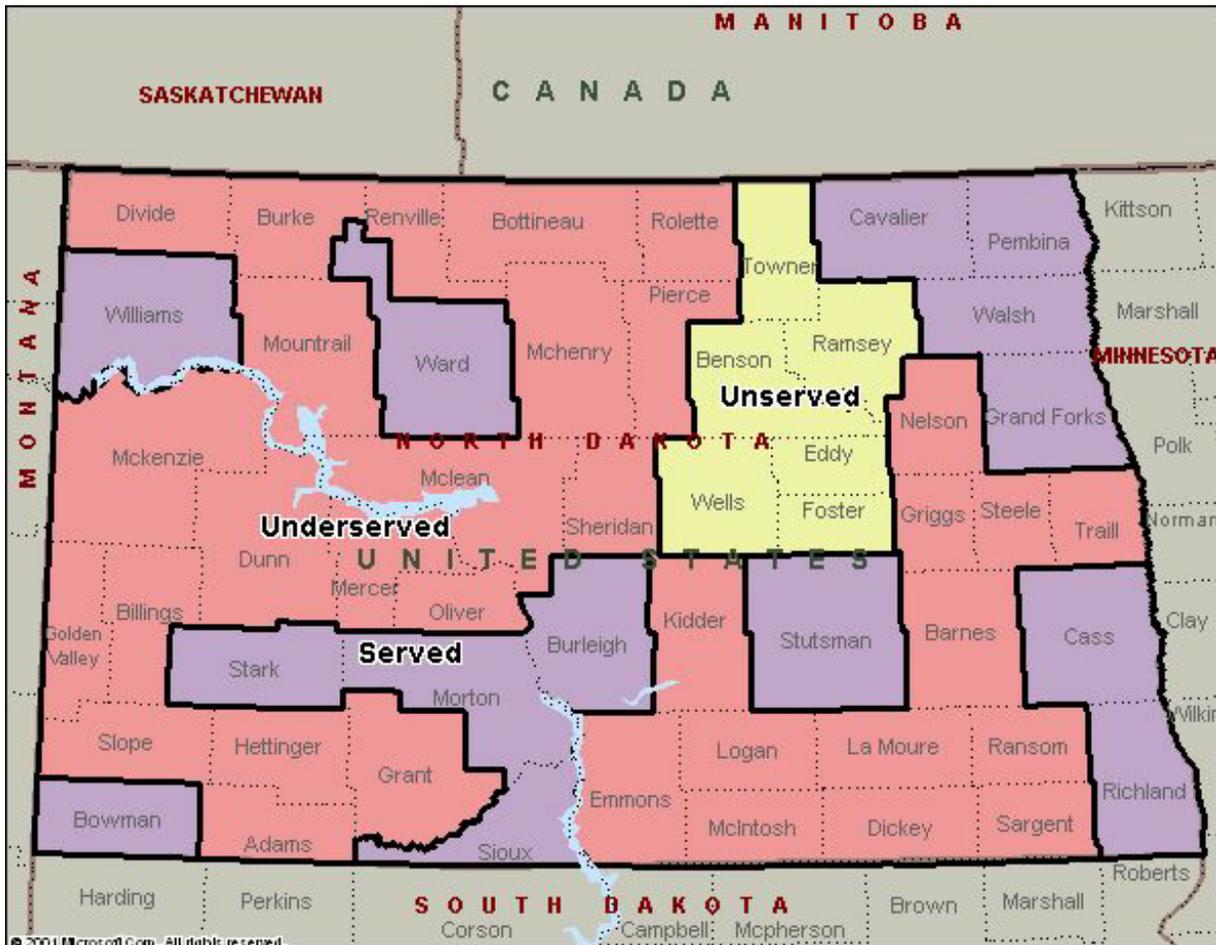
Ethnicities vary by geographical area which can be attributed to the migration trends of groups who are dependent upon agriculture and the location of major reservations. The southeast quadrant has the lowest rate of Native Americans compared to the other three quadrants, but also has no major reservations located within its service area.

The most overrepresented age group receiving direct service from North Dakota's CILS are persons age 60 and over at 12% greater than the population rate. This is followed by people age 25-50 at a 6% higher rate. The greatest underserved group is youth.

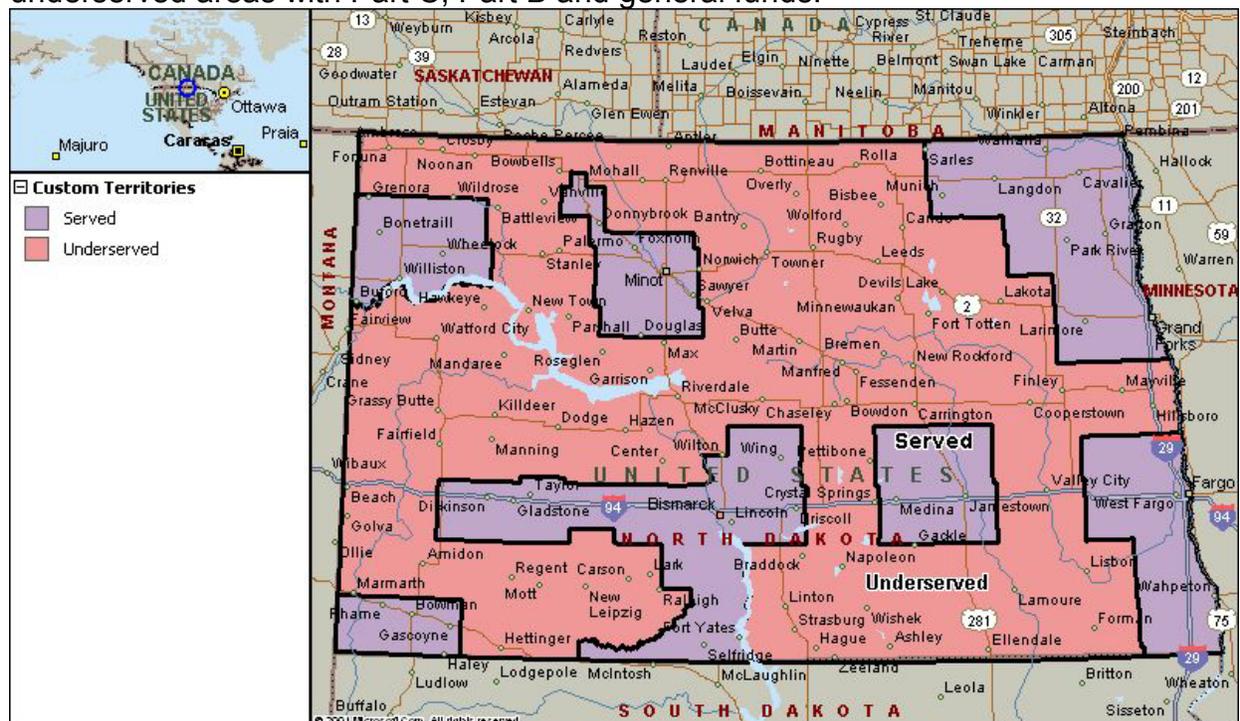
The most prevalent group of people with disabilities served is people with physical disabilities followed by persons with mental/emotional disabilities, and then cognitive disabilities. It is difficult to ascertain if any one group is underserved due

to the problem of identifying comparative data. To this date all potential comparative data either uses restrictive age ranges or is data which does not have the same disability group definitions as what Centers are mandated to use. Additionally, the use of "multiple disability" skews the percentage rates. The Evaluation Committee will continue to conduct research on demographic data.

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

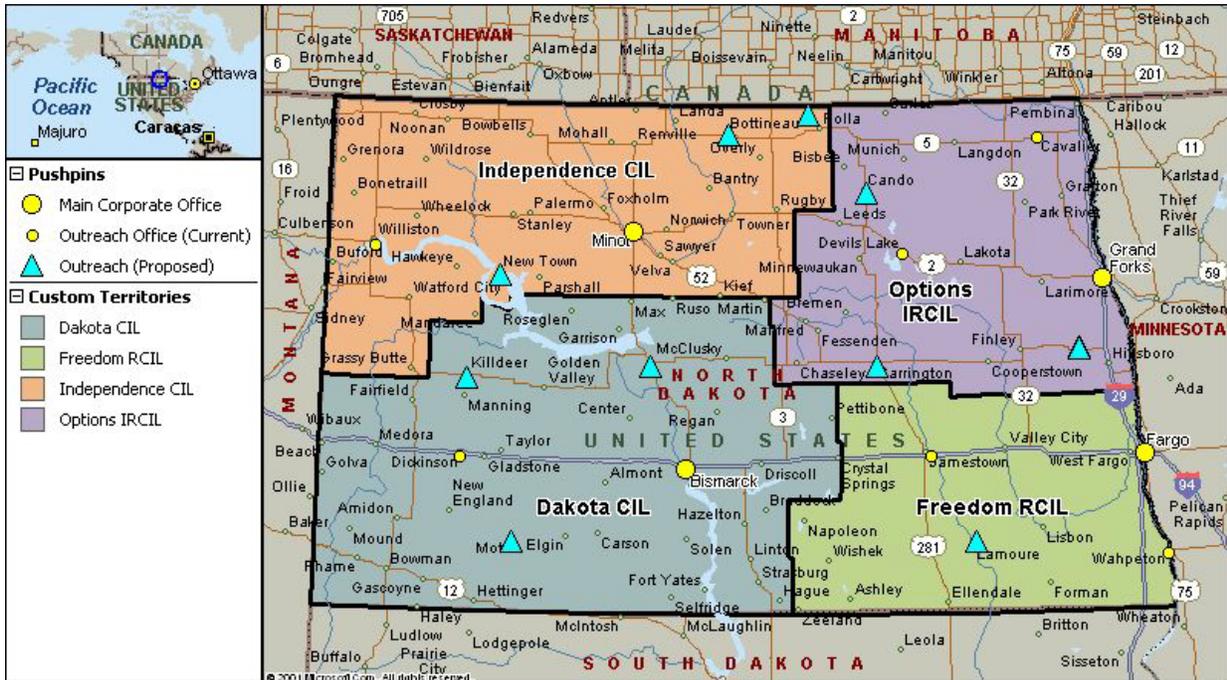


The following map shows the statewide breakdown by county of served and underserved areas with Part C, Part B and general funds.



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 North Dakota Statewide Independent Living Council has divided the state into four quadrants, with each having a full service center for independent living and outreach offices. During the 2007 legislative session, the CILS submitted a proposal to expand the statewide network of Independent Living services to include an additional twelve outreach offices as funding permitted. For further information on the location of the CILS and the branch offices, refer to Section 3.1. The map below illustrates the locations of the four services areas, full service centers, outreach office locations as well as proposed outreach office locations.



Based on ND State current and projected population statistics, from 2000–2008 there was a 9.79% decline in population in the unserved six counties. The projected decline in population from 2008-2020 is an additional 18.96%. Due to flooding in Ramsey County (the Devils Lake Region) there has been a decrease in population as well as overall land mass. Since March of 1993, the rising water level in Devils Lake has increased and resulted in a loss of 132,870 acres or 280 square mile of land. This is an economic disaster to the state of ND. This disaster has resulted in the heightened displacement of the population of Ramsey County. The size of land lost due to flooding in the Devils Lake Basin, is twice the land mass of the District of Columbia. As a result, hundreds of homes have been destroyed or moved, one small town was shut down and another is at risk of being obliterated. In recognition of these facts, the SILC and DSU believe that serving these counties through the existing network of CILs and outreach offices is more practical than the creation of a new center. However, in order to satisfy RSA requirements, and until the SILC and DSU can find an alternative solutions, we have included the creation of a new center in our design for the statewide network of centers if sufficient Part C funding becomes available. To meet the needs of individuals residing in this area, an Outreach Office was established in Devils Lake, which is the largest town in this six county area. The population data is displayed in the following table:

	2000	2008	2020	% change 2000-2008	projected % change 2008-2020
Benson	6,957	6,953	6,815	-0.06%	-2.03%
Eddy	2,741	2,388	1,859	-14.78%	-28.44%
Ramsey	12,023	11,234	9,742	-7.02%	-15.31%
Towner	2,857	2,202	1,225	-29.75%	-79.69%
Foster	3,736	3,447	3,082	-8.38%	-11.85%
Wells	5,079	4,191	2,843	-21.19%	-47.40%

TOTAL	33,393	30,415	25,567	-9.79%	-18.96%
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Outreach plans for FFY 2011-2013 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.

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

The CILs conduct evaluations of services to assess satisfaction with services.

Needs assessments are conducted through the use of public forums as well as through survey and the key informant method.

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

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:

Service demographics are analyzed to assess unserved and underserved groups in order to tailor specific outreach activities.

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	\$9,341	\$538,560		\$9,118
Chapter 1, Part C			\$1,135,236	
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			\$474,494	
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	\$9,341	\$295,647		\$9,118
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			\$474,494	
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	\$9,841	\$295,647		\$8,618
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			\$474,494	
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. The plan for expenditure of Part B ARRA funding is to upgrade the infrastructure of the existing CILs. The plan for expenditure of Part C ARRA funding is to hire additional staff to provide IL services to the unserved and underserved citizens with disabilities in North Dakota.

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.*

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 of meetings
- 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

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

As noted on the table above, all Part B funds are utilized for SILC operations and the provision of IL services. All Part C funds, SSA reimbursement income, and state funds are utilized to fund the general operations of the CILs.

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, 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 fullest 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 are 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 State Rehabilitation Council at least once every two years. We also extend 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 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

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 with each of the following: special education, vocational education, developmental disabilities services, public health, mental health, housing, transportation, veterans' services, programs under XVIII – XX of the Social Security Act. The SILC is made up of various ex officio members who also are employees of various State Departments within North Dakota. Additionally, CIL Staff are members of various State and local task forces, committees, governing boards and consortiums that are a benefit to people with disabilities within the State.

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 is also the program administrator of the Older Blind Program. 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			
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			

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)
Provision of needed prostheses and other appliances and devices			
Individual and group social and recreational services			✓
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, cross-disability, consumer-controlled SILC to accomplish SPIL objectives; identifying people with disabilities who are unserved or underserved so as to provide to them the independent living services that they need; and increase public 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, affordable/accessible housing, health services, and obtaining 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.*

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.

The DSU contracts/grant agreements with the CILs include references to meeting the requirements of 34 CFR 364 & 366, which includes staffing described in 4.1A.

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.*

In line with North Dakota's design for the Network of Centers, only the four recognized Centers for Independent Living receiving Title VII, Part C awards are eligible recipients of excess Part B funds not utilized by the SILC for its general operations. As such, they must meet federal standards and assurances for CILS and are responsible for all aspects of IL services including determining eligibility. Additionally, each Center's 704 Report is reviewed to further insure compliance with the Standards and Assurances.

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.*

North Dakota's design for the statewide network of centers calls for four CILS, each serving one of four quadrants of the state and each with at least one outreach office.

The CIL in the northwest quadrant is Independence RCIL, located in Minot. They also have an outreach office in Williston and proposed outreach offices in Bottineau, Rolla and New Town. Independence serves the counties of: Ward, Williams, Divide, Burke, Renville, Bottineau, Rolette, Mountrail, McHenry, Pierce, and McKenzie.

The CIL in the northeast quadrant is Options RCIL, located in East Grand Forks. They have outreach offices in Cavalier and Devils Lake with proposed outreach offices in Cando, Carrington and Mayville-Portland. Options serves the counties of: Grand Forks, Cavalier, Pembina, Walsh, Nelson, Griggs, Steele and Trail. They have also been providing outreach services utilizing general funds and Part B money to the following counties not being served with Part C funds: Towner, Ramsey, Benson, Wells, Eddy, and Foster. Based on current and projected population statistics compiled by the Decision Support Division of the ND Department of Human Services, there has been a 9.79% decline in population in the aforementioned six counties from 2000- 2008. The projected decline in population from 2008-2020 is an additional 18.96%. Due to the significant decline in the population of these six counties, the SILC, in agreement with the DSU, support the use of funds to continue to provide outreach services through the existing statewide network until a new center or another alternative can be created.

The CIL in the southwest quadrant is Dakota CIL, located in Bismarck. They have an outreach office in Dickinson with proposed outreach offices in Mott, Killdeer and Underwood. DCIL serves the following counties: Burleigh, Stark, Golden Valley, Billings, Dunn, Mclean, Mercer, Sheridan, Morton, Slope, Hettinger, Bowman, Adams, Grant, Sioux, Emmons, Oliver, and Kidder.

The CIL in the southeast quadrant is Freedom RCIL, located in Fargo. They have outreach offices in Jamestown and Wahpeton with a proposed outreach office in LaMoure. Freedom serves the counties of: Cass, Stutsman, Richland, Barnes, Logan, McIntosh, LaMoure, Dickey, Ransom, and Sargent.

This design was established based on the ruralness of unserved catchment areas, to maximize available funding to directly serve North Dakotans, and decrease the amount of administrative expense when the Independent Living Program is looked at as a whole.

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, Vocational Rehabilitation, and other IL partners use the SPIL as a basis for establishing priorities. They identify needs based on consumer satisfaction as well as on information gathered by the SILC 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. See Section 3.1 for a detailed description of unserved and underserved areas and populations. Currently, the following counties are not listed

in any of the CILs original Part C grant service area: Towner, Ramsey, Benson, Wells, Eddy, and Foster. Options RCIL will be using a combination of Part B and state funds to serve these counties.

Although North Dakota is concerned that it is not cost-effective to establish a new center to serve the unserved areas due to their remoteness and low population, we understand that federal law required states with unserved counties to establish a new center to serve those counties if sufficient funds become available. While we are providing for this contingency in the state plan, we will be examining the 2010 census data to determine the number of persons with disabilities in that six county area to assess the potential number of consumers living there. If the number is so low as to call into question the cost effectiveness of creating a new center to serve those six counties, North Dakota will explore alternative options with RSA. In the meantime, Options RCIL will be using a combination of Part B and state funds to serve these counties.

A.

If the excess Part C funding is not sufficient to establish a new center or funding remains after opening a new center, North Dakota will distribute any additional Part C funds to the existing Part C centers equally.

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 of meetings
- 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), in coordination with the DSU, 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.

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 2011	FFY 2012	FFY 2013
COUNCIL OPERATIONS	\$8841	\$8841	\$8841
SPIL DEVELOPMENT	-	-	\$500
DUES	\$500	\$500	\$500
TOTAL	\$9,341	\$9,341	\$9,841

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 Membership 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 Membership 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.

All CILs employs staff who are able to communicate, or contract for services, which enables communication, 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 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. 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 the North Dakota Vocational Rehabilitation Central Office in Bismarck or the Department of Human Services Fiscal Office at the State Capitol.

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 ensure that appropriate policies and procedures are fulfilled to ensure 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 conduct a consumer satisfaction survey at least annually. The results of these surveys will be reported to the Council.
4. 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.

ND Century Code also requires that two CIL directors be SILC members, which goes beyond the federal statute, which requires that one CIL director be a SILC member.