

# State Plan for Independent Living (SPIL) for South Dakota for 2017-2019

## General Information

Designated Agency Identification

State:South Dakota

Agency:South Dakota Division of Rehabilitation Services

Plan for:2017-2019

Submitted in fiscal year:2016

View grant [90IS0023-01](#) in the Grant Award screen.

## Part I: Assurances

### 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.

#### Division of Rehabilitation Services

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.

#### Division of Service to the Blind and Visually Impaired

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.

#### South Dakota Statewide Independent Living Council

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. Yes

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. Yes

1.6 The SPIL is the basis for State operation and administration of the program. All provisions of the SPIL are consistent with State law. Yes

1.7 The representative of the DSU and, if applicable, of the separate State agency authorized to provide VR services to individuals who are blind, who has 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 Eric Weiss, Director, Division of Rehabilitation Services and Gaye Mattke, Director, Division of Service to the Blind and Visually Impaired.

### 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:

- The provision of State independent living services;
- The development and support of a statewide network of centers for independent living;
- 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.

Yes

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. Yes

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:

- appropriate and sufficient notice of the public meetings;
- 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
- 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.

Yes

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. Yes

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. No

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. Yes

### 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. Yes

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. Yes

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:

- the availability of the CAP authorized by section 112 of the Act;
- the purposes of the services provided under the CAP; and
- how to contact the CAP.

Yes

3.4 Participating service providers meet all applicable State licensure or certification requirements. Yes

### 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. Yes

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. Yes

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. Yes

### 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. Yes

5.2 To the maximum extent feasible, a service provider makes available personnel able to communicate:

- with individuals with significant disabilities who rely on alternative modes of communication, such as manual communication, nonverbal communication, nonverbal communication devices, Braille or audio tapes, and who apply for or receive IL services under title VII of the Act; and
- 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.

Yes

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. Yes

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. Yes

## 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. Yes

## 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:

- the amount and disposition by the recipient of that financial assistance;
- The total cost of the project or undertaking in connection with which the financial assistance is given or used;
- the amount of that portion of the cost of the project or undertaking supplied by other sources;
- compliance with the requirements of chapter 1 of title VII of the Act and Part 364 of the regulations; and

- other information that the Commissioner determines to be appropriate to facilitate an effective audit.

Yes

7.2 With respect to the records that are required by 34 CFR 364.35, 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. Yes

7.3 All recipients of financial assistance under parts B and C of chapter 1 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. Yes

#### 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). Yes

#### Section 9: Signatures

As the authorized signatories, we will sign, date and retain in the files of the state agency(ies) and the Statewide Independent Living Council the Part I: Assurances, 1-8, and the separate Certification of Lobbying forms ED-80-0013 (available in [MS Word](#) and [PDF](#) formats) for the state independent living program (Part B) and the centers for independent living program (Part C).

The effective date of this SPIL is October 1, 2016.

#### Section 9: Signature for SILC Chairperson

Name Craig Eschenbaum

Title SILC Chair

Signed? Yes

Date signed 06/15/2016

#### Section 9: Signature for DSU Director

Name Eric Weiss

Title Director, Division of Rehabilitation Services

Signed?Yes

Date signed06/16/2016

Section 9: Signature for Separate State Agency for Individuals Who Are Blind

Is there a Separate State Agency for Individuals Who Are Blind?Yes

NameGaye Mattke

TitleDirector, Division of Service to the Blind and Visually Impaired

Signed?Yes

Date signed06/15/2016

# **Part II: Narrative: Section 1 - Goals, Objectives and Activities**

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

### **1.1 Goals and Mission**

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, including those of the State agency for individuals who are blind as they relate to the parts of the SPIL administered by that agency.

Goal Name:Goal I

Goal Description:

The SILC and CILs will improve service outcomes for those served by ensuring services are provided by qualified and motivated staff.

Goal Name:Goal II

Goal Description:

The SILC and CILs will increase understanding of the IL philosophy with those served supporting them to assume greater direct control and responsibility for their services, goals and lives.

Goal Name:Goal III

Goal Description:

The SILC and CILs will ensure all eligible South Dakotans have equal access to IL services.

Goal Name:Goal IV

Goal Description:

The SILC will address systemic issues e.g., housing, transportation through a process of researching current practices, identifying emerging trends and promoting new approaches with state and federal policymakers.

Goal Name:Goal V

Goal Description:

The SILC, CILs and DSE will work to ensure that IL services in South Dakota remain effective, efficient and responsive to all eligible individuals.



## 1.2 Objectives

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

Goal(s) from Section 1.1	Objective to be achieved	Time frame start date	Time frame end date
Goal I	<p>1.1a Set minimum qualification for direct service delivery staff funded with Part B IL funds.</p> <p>1.1b If necessary, request additional state funding to cover the cost for increasing wages for direct service delivery staff.</p> <p>1.1c Better utilize state and federal training resources to meet minimum staff competency requirements.</p>	10/01/2017	09/30/2019
Goal II	<p>2.1a The SILC will highlight the IL philosophy in all of its outreach and education efforts.</p> <p>2.1b Annually recognize IL participants who demonstrate outstanding self-advocacy skills and accomplishments.</p> <p>2.1c Identify and implement training which promotes the benefits of meeting your needs through independence rather than through dependency promote self-reliance.</p> <p>2.1d Develop an evaluation tool to measure how well CILs promote and teach self-advocacy to those served.</p>	10/01/2017	09/30/2019
Goal III	<p>3.1a Based upon 704 Report data, identify potential underserved populations and geographic areas within the state.</p> <p>3.1b Factoring in Part C funding, adjust Part B funding mechanism to encourage services for underserved populations.</p>	10/01/2017	09/30/2019

	<p>3.1c Beginning in FY17, annually award one mini-grant on a competitive basis to a CIL, for an initiative designed to conduct special networking and outreach activities to promote increased program participation from an underserved population within their service area.</p>		
Goal IV	<p>4.1 The SILC will establish a work group to study housing barriers impacting employment and independent living opportunities for various disability populations within South Dakota. The study will contrast needs based upon disability type, community size and age of individuals.</p> <p>4.1a Review existing programs currently providing housing services to individuals with disabilities.</p> <p>4.1b Meet with specific disability organizations and service providers to identify unique housing needs and best practices.</p> <p>4.1c Meet with local and state housing authorities to identify barriers and potential opportunities to better meet the unmet housing needs of South Dakotans with disabilities.</p> <p>4.1d Summarize findings and submit recommendations to appropriate policymakers.</p> <p>4.2 The SILC will establish a workgroup to study transportation barriers impacting employment and independent living opportunities for various disability populations within South Dakota. The study will contrast needs based upon disability type, community size and age of individuals.</p> <p>4.2a Review existing programs currently providing transportation services to individuals with disabilities.</p>	10/01/2017	09/30/2019

	<p>4.2b Meet with specific disability organizations and service providers to identify unique transportation needs and best practices.</p> <p>4.2c Meet with local and state transportation officials to identify barriers and potential opportunities to better meet the unmet transportation needs of South Dakotans with disabilities.</p> <p>4.2d Summarize findings and submit recommendations to appropriate policymakers.</p>		
Goal V	<p>5.1a On a quarterly basis, the SILC will monitor progress being made on SPIL related goals, objectives and activities.</p> <p>5.1b Annually, the SILC will review and revise its SPIL monitoring tool and process to ensure its continued effectiveness.</p> <p>5.2a The DSE will conduct program/ case reviews annually</p> <p>5.2b The DSE will monitor contract compliance.</p> <p>5.2c The SILC will revise the CIL Directors report format to reflect current SPIL goals and objectives.</p> <p>5.3a The SILC and DSE will design and administer an evaluation instrument that measures consumer satisfaction with services they have received.</p> <p>5.3b The SILC and DSE will analyze results and report findings and trends for planning and administrative purposes at quarterly SILC meetings.</p> <p>5.4a Quarterly the DSE will provide the SILC with performance reports on specialized programs/services e.g., TAD, HMAD.</p> <p>5.4b The DSE will conduct annual reviews of specialized programs/ services and report outcomes to the SILC.</p>	10/01/2017	09/30/2019

5.4c The DSE will monitor contract compliance for specialized programs/services and report to the SILC.		
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## 1.2 Objectives

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.

- Identify the populations to be designated for targeted outreach efforts

It is recognized that South Dakotans with significant disabilities have various levels of access to Independent Living Services. Most of the state is defined as rural, while other parts are defined as frontier. The SILC and the Consumer Services Committee have reviewed the 704 data trends for FFY 2011 to 2015. The populations identified to target outreach efforts as underserved are Native Americans, elderly citizens living in very rural areas of the state, and individuals living in poverty.

- Identify the geographic areas (i.e., communities) in which the targeted populations reside

The 704 data trends for FFY 2011 to 2015 showed 15 counties receiving the lowest level of independent living services when compared to their population. These counties were analyzed and combined into three County groups considered as underserved: Counties on or near Native American Reservations, Counties in the Southwest SD, and Counties in Central SD. Counties near or on Native American Reservations: Five counties were identified as underserved in SD, consisting of Oglala Lakota, Bennett, Mellette, Ziebach, and Corson. These counties are on or near the Oglala Reservation, Rosebud Reservation, Cheyenne Reservation, and Standing Rock Reservation. Characteristics of their population are: Lower percent of persons over 65 years old; Majority of individuals are Native Americans; Higher percent of people living in a household; Lower graduation rate from high school; Significantly higher percent of persons living in poverty; and Population per square mile is significantly low. Counties in the Southwest corner of SD: Two counties were identified as underserved in SD. These counties are close to the Oglala Reservation but do not have the same characteristics, which are Custer and Fall River. Characteristics of these two counties are: Higher percent of persons over 65 years old; Lower percent of individuals are Native Americans; Higher percent of individuals under the age of 65 with disabilities; and Population per square mile is significantly low. Counties in Central SD: Three counties were identified as underserved in central SD. These counties connected to each other are Faulk, Hand and Jerauld. Characteristics of these three counties are: Higher percent of persons over 65

years old; Lower percent of individuals are Native Americans; and Population per square mile is significantly low.

- Describe how the needs of individuals with significant disabilities from minority group backgrounds will be addressed

The Statewide Independent Living Council will recruit individuals from minority and underrepresented groups as members of the SILC. The SILC will also host at least one group meeting per year in underserved areas of South Dakota in order to gather input from people with disabilities as to what services and resources are needed in their communities. Centers for Independent Living will work closely and maintain a regular presence with the Tribal Vocational Rehabilitation Programs. The SILC will also review current funding strategies and make recommendations that will move the Independent Living funding to targeted counties considered as underserved.

### 1.3 Financial Plan

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. For each funding source, provide estimated dollar amounts anticipated for the applicable uses. The financial plan table should include only those funding sources and amounts that are intended to support one or more of the objectives identified in section 1.2 of the SPIL. 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.

Year 1 - 2017 Approximate funding amounts and uses

<b>Sources</b>	<b>SILC resource plan</b>	<b>IL services</b>	<b>General CIL operations</b>	<b>Other SPIL activities</b>
Title VII Funds				
Title VII Funds Chapter 1, Part B	31410	272541		
Title VII Funds Chapter 1, Part C			839761	
Title VII Funds Chapter 2, OIB (only those provided by				

the OIB grantee to further a SPIL objective)				
Other Federal funds - Sec. 101(a)(18) of the Act (Innovation and Expansion)	42471			
Other Federal funds - other		305000		
Non-Federal funds - State funds	14985	123098		
Non-Federal funds - Other				
Total	88866	700639	839761	0

### Year 2 - 2018 Approximate funding amounts and uses

<b>Sources</b>	<b>SILC resource plan</b>	<b>IL services</b>	<b>General CIL operations</b>	<b>Other SPIL activities</b>
Title VII Funds				
Title VII Funds Chapter 1, Part B	31410	272541		
Title VII Funds Chapter 1, Part C			839761	
Title VII Funds Chapter 2, OIB (only those provided by the OIB grantee to further a SPIL objective)				
Other Federal funds - Sec. 101(a)(18) of the Act (Innovation and Expansion)	42471			
Other Federal funds - other		305000		
Non-Federal funds - State funds	14985	123098		
Non-Federal funds - Other				
Total	88866	700639	839761	0

### Year 3 - 2019 Approximate funding amounts and uses

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<b>Sources</b>	<b>SILC resource plan</b>	<b>IL services</b>	<b>General CIL operations</b>	<b>Other SPIL activities</b>
Title VII Funds				
Title VII Funds Chapter 1, Part B	31410	272541		
Title VII Funds Chapter 1, Part C			839761	
Title VII Funds Chapter 2, OIB (only those provided by the OIB grantee to further a SPIL objective)				
Other Federal funds - Sec. 101(a)(18) of the Act (Innovation and Expansion)	42471			
Other Federal funds - other		305000		
Non-Federal funds - State funds	14985	123098		
Non-Federal funds - Other				
<b>Total</b>	<b>88866</b>	<b>700639</b>	<b>839761</b>	<b>0</b>

### **1.3B Financial Plan Narratives**

#### **1.3B(1) Specify how the part B, part C and chapter 2 (Older Blind) funds, if applicable, will further the SPIL objectives.**

The DSE enters into agreements with the CILs to provide IL services that support the SPIL goals. These goals include:

Quality services, accessibility and availability of services for underserved populations in geographic areas, staff training and opportunities to increase collaboration. CILs and DSE partner to develop, expand and promote service options to ensure that IL services are provided to individuals of all ages who are experiencing disabilities. The SILC monitors the impact of activities on the SPIL.

Part B funds utilized in State contracts with CILs will supplement Part C funds and not duplicate the funding of services supported by Part C funds.

All Part B funds not utilized in the SILC resource plan are used to support the provision of IL services. The primary focus of these activities is the provision of

the five core services. These funds are also used to support the administrative costs of the Home Modification and Assisted Device programs (HMAD).

Part B and VR funds are also used to support the SILC resource plan. Part B funds utilized in this way provide educational and professional growth opportunities for SILC members, SILC staff, and CIL staff. These funds are also used to provide staff support to the SILC. SILC staff support is accomplished through a contract relationship. SILC resource funds are also utilized to support mini- grants to various organizations in support of activities and programs that promote the IL philosophy and to individuals to support their participation in IL related training opportunities.

These types of contracts over \$50,000 need to go through a Request for Proposal Process as laid out in SDCL 5-18D-17 to 5-18D-22.

**1.3B(2) 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.**

The CILS do not coordinate or administer funds/programs from the Telecommunications Relay Services (TRS) and the Telecommunications Equipment Distribution (TED) program.

**1.3B(3) 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.**

The SILC and DSE do not utilize in-kind resources in the provision and coordination of IL services; nor do they require CILs to utilize in-kind resources. The South Dakota Division of Rehabilitation Services (DRS) provides fiscal oversight for the Part B funds that go to the four CILs in South Dakota. The DSE staff provides direct oversight of these funds and related activities. This DSE staff also provides technical assistance to the CILs as requested.

**1.3B(4) Provide any additional information about the financial plan, as appropriate.**

The DSE must comply with the following State fiscal requirements when distributing funds through contractual relationships:

Request for Proposal Process for professional services required by SDCL 5-18D-17 to 5-18D-22

SB162 State Board of Internal Control

2 CFR Section 200.330 Federal Pass-Through Funds



## **1.4 Compatibility with Chapter 1 of Title VII and the CIL Work Plans**

### **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.**

South Dakotas 2017-2019 SPIL goals and objectives provide a foundation for the accomplishment of these purposes of Chapter 1 of Title VII of the Rehabilitation Act.

Each of the goals for the SPIL address the South Dakotas IL Networks commitment to continuing to support and improve the provision of IL services in South Dakota, as well as help to further develop and support the statewide network of centers for independent living. They address the need to continue the redesign of IL services, as unmet needs are identified and targeted, as well as when emerging populations begin to surface, which have not been a part of the historical picture of independent living services in South Dakota. They also address the need to ensure that IL network member staff remains current on independent living philosophy and best practices.

### **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.**

SILC and DSE staff reviewed the most recent 704 reports of the four CILs, specifically to identify CIL goals and future activities. The CIL Directors were invited to participate in quarterly SILC meetings as individual directors. One director, whom they chose to be their representative, also actively represented CIL Directors on the SILC.

## **1.5 Cooperation, Coordination, and Working Relationships Among Various Entities**

Describe the steps that will be taken to maximize the cooperation, coordination and working relationships among the SILS program, the SILC, and centers; the DSU, other State agencies represented on the SILC and 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.

Maximizing cooperation and coordination among the SILC, CILs, and DSE is critical to meeting the greatest amount of need for IL services with available resources. Each quarterly meeting agenda includes reports from the CILs, DSE,

separate blind agency and SILC staff, as one means of staying informed of each others activities.

Annually, the SILC collaborates with the DSE, separate Blind Agency, Native American Tribal VR, CILs and other disability related organizations i.e., Council on Developmental Disabilities, Protection and Advocacy Agency, Parent Training and Technical Assistance Center to host public meetings and forums.

CILs actively work with local entities i.e., school districts, Mayors Committees, housing authorities, transportation committees to promote independent living options for persons with disabilities and to promote equal access to community life.

SILC membership composition, as well as the linkages that individual SILC members bring with them, provide additional avenues for cooperation and coordination between the SILC, CILs, DSE, separate Blind Agency and other public and private entities. SILC membership includes representatives from South Dakota Housing Development Authority and the South Dakota Department of Social Services, Division of Adult Services Aging. Current SILC members also bring linkages to groups such as the two State Rehabilitation Councils, Board of Vocational Rehabilitation and Board of Service to the Blind and Visually Impaired, South Dakota Council on Developmental Disabilities, South Dakota Assistive Technology Project, South Dakota Association of the Blind, Aging and Disability Resource Connections (ADRC), South Dakota Association of the Deaf, and South Dakota Coalition of Citizens with Disabilities.

## **1.6 Coordination of Services**

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.

No one member of the SILC, CILs, DSE and separate Blind Agency has the ability to meet all the needs of those served, nor are their programs and services designed to do so. Thus, it is critical that all are fully aware of services available through other Federal, State and local programs, which have the potential to meet some of the IL and VR needs of those served.

A commitment is made to keeping the SILC, CILs, DSE and separate Blind Agency members up-to-date on available resources i.e., assistive daily living services, medical assistance for workers with disabilities, benefits specialists, respite care, home care services, ADRC, as well as on changes to existing programs/services.

This sharing occurs through the quarterly meetings. It also occurs through mailings and email alerts circulated through a statewide network of advocates. In addition, SILC members and the CILs, DSE and separate Blind Agency staff routinely make referrals to one another and other agencies, recognizing that each provider offers unique services necessary for consumers to reach their independent living goals. Information is also shared with those served, so they may make informed choices on from whom they wish to seek services, and so consumers truly have choice in the services they receive to reach their IL goals.

## **1.7 Independent Living Services for Individuals who are Older Blind**

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.

Even though reauthorization has resulted in the Older Blind Program and services remaining under the Rehabilitation Services Administration and no longer under this state plan, the SILC remains committed to ensuring that people with blindness and visual impairments continue to have access to needed services to live independently. Thus the separate blind agency continues to have representation on the SILC and their report continues as a standing agenda item for each SILC meeting. In addition, the Board of Service to the Blind and Visually Impaired is seeking to have representation on the SILC. These steps also assist to ensure coordination between these and IL services under the State Plan for Independent Living.

## Part II: Narrative: Section 2 - Scope, Extent, and Arrangements of Services

### 2.1 Scope and Extent

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).

<b>Table 2.1A: Independent living services</b>	<b>Provided by the DSU (directly)</b>	<b>Provided by the DSU (through contract and/or grant)</b>	<b>Provided by the CILs (Not through DSU contracts/grants)</b>
Core Independent Living Services - Information and referral	No	Yes	Yes
Core Independent Living Services - IL skills training	No	Yes	Yes
Core Independent Living Services - Peer counseling	No	Yes	Yes
Core Independent Living Services - Individual and systems advocacy	No	Yes	Yes
Counseling services, including psychological, psychotherapeutic, and related services	No	No	No
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)	No	Yes	Yes
Rehabilitation technology	No	Yes	Yes
Mobility training	No	No	No
	No	No	No

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	No	No	No
Surveys, directories and other activities to identify appropriate housing, recreation, accessible transportation and other support services	No	Yes	Yes
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	No	Yes	Yes
Education and training necessary for living in the community and participating in community activities	No	Yes	Yes
Supported living	No	No	No
Transportation, including referral and assistance for such transportation	No	Yes	Yes
Physical rehabilitation	No	No	No
Therapeutic treatment	No	No	No
Provision of needed prostheses and other appliances and devices	No	No	No
Individual and group social and recreational services	No	Yes	Yes
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	No	Yes	Yes

Services for children with significant disabilities	No	No	No
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	No	No	No
Appropriate preventive services to decrease the need of individuals with significant disabilities for similar services in the future	No	Yes	Yes
Community awareness programs to enhance the understanding and integration into society of individuals with disabilities	No	Yes	Yes
Other necessary services not inconsistent with the Act	No	Yes	Yes

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

Through the provision of Part B and Part C funds to the CILs, essentially all services are available. The five core services create the foundation of all IL services in SD. It is recognized that each CIL augments the five core services with other services most needed in their geographic area. It is expected that although services vary from one center to another, core services remain as the most frequently provided service across the state.

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:

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

Indicate N/A if not applicable.

IL services provided by centers are provided free of charge to eligible individuals. Occasionally, a CIL may provide a time limited training program e.g., youth summer institute, and they may choose to charge a registration fee to help cover related costs e.g., speakers and materials. The Statewide Independent Living Council is provided a copy of the registration information with the registration fee.

Centers for Independent Living can assist with assistive technology equipment/programs such as the Telecommunications Adaptive Devices (TAD) Program, and the Home Modification/Assistive Devices (HMAD) Program. The provision of assistive technology equipment from these programs is dependent on the availability of funds and the individual meeting the financial needs requirements.

Funds for the Home Modification Assistive Devices Program can purchase equipment or Home Modifications for an individual being served by the Independent Living Program. This program requires a financial need test and establishes a maximum financial assistance of \$5,000 for the clients lifetime. The financial needs test takes into account the individuals income and resources, and it is applied uniformly to all individuals who need this service. Situations may occur where there are unique and unusual circumstances regarding family size, income and extenuating circumstances that warrant special consideration. Properly documented justifications of these cases can be approved by the Division of Rehabilitation Services Independent Living Program Specialist.

## 2.2 Arrangements for State-Provided Services

2.2A If the DSU will provide any of the IL services identified in section 2.1A through grants or contractual arrangements with third parties, describe such arrangements.

The South Dakota Division of Rehabilitation Services contracts with CILs to provide IL services, using Part B funds.

The DSE staff works with the CILs to meet each individual CILs goals and objectives. Annual reviews are completed at each center. Another mechanism is the review of each centers 704 reports. SILC and DSE staff are available to assist CILs to achieve their agency goals, which support the attainment of the SPIL goals.

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.

Determinations of eligibility for IL services, and maintenance of a consumer service records (CSR) for each person served will be completed by an IL Specialist or comparable CIL staff. The DSE staff will visit each CIL at least annually to review consumer service records and to discuss any identified problems and recommended solutions.



## Part II: Narrative: Section 3 - Design for the Statewide Network of Centers

### 3.1 Existing Network

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.

South Dakota is comprised of 66 counties, all of which are covered by an independent living center. The CILs are: Independent Living Choices - South (SPIL Signatory), Independent Living Choices - North (SPIL Signatory), Native American Advocacy Project (NAAP) (SPIL Signatory), and Western Resources for Independent Living (WRIL) (SPIL Signatory).

The Divisions of Rehabilitation Services and Service to the Blind and Visually Impaired provide vocational rehabilitation services in all 66 counties. Within South Dakota, there are also nine Native American tribal territories, and independent living and vocational rehabilitation services are also provided in some or all of these areas through tribal vocational rehabilitation programs.

ILC South (Sioux Falls) - serves persons with significant disabilities in all or part of Aurora, Bon Homme, Brookings, Brule, Buffalo, Charles Mix, Clark, Clay, Davison, Douglas, Gregory, Hanson, Hutchinson, Jerauld, Kingsbury, Lake, Lincoln, McCook, Miner, Minnehaha, Moody, Sanborn, Turner, Union, and Yankton counties.

ILC North (Aberdeen) - serves persons with significant disabilities in all or part of Brown, Beadle, Campbell, Clark, Codington, Day, Deuel, Edmunds, Faulk, Grant, Hand, Hamlin, Hyde, Marshall, McPherson, Potter, Roberts, Spink and Walworth counties, which include two Native American reservations in South Dakota (Lake Traverse and Flandreau).

NAAP serves persons with significant disabilities on seven of the Native American reservations in South Dakota (Pine Ridge, Rosebud, Yankton, Crow Creek, Lower Brule, Cheyenne River and southern Standing Rock) that include all or part of Bennett, Brule, Buffalo, Charles Mix, Corson, Dewey, Gregory, Jackson, Lyman, Marshall, Mellette, Minnehaha, Pennington, Oglala-Lakota, Todd, Tripp, Yankton and Ziebach counties.

WRIL serves persons with significant disabilities in all or part of Butte, Custer, Fall River, Harding, Haakon, Hughes, Jackson, Jones, Lawrence, Lyman, Meade, Mellette, Pennington, Perkins, Stanley, Sully and Tripp counties.

The States network is complete in terms of 34 CFR 364.25 in that services are available in all 66 counties, including all reservation lands.

Funding sources for services consists of IL Part B, Part C, state match and grants and funding secured locally from each center. Grant funds available may vary from community to community.

### 3.2 Expansion of Network

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).

South Dakotas SILC, DSE, separate Blind Agency and CILs (IL Network) have not identified a need to develop a plan for expanding the existing network of CILs. It has identified the reality that even though the entire population has access to some level of independent living services, the same scope of services may not be available to persons in all portions of the state. Thus their attention has been focused on how to increase the level of services available to all South Dakotans with significant disabilities needing and requesting IL services.

The SPIL signatories have set the following priorities for the use of Part C funds awarded to South Dakota in the future:

1. The first priority is to use available funds to support existing Part C CILs; ILC South (Sioux Falls), ILC North (Aberdeen), NAAP, and WRIL at the level of funding of the previous year.
2. The second priority is to use available Part C funds to provide a cost-of-living increase to all existing Part C CILs, ILC South (Sioux Falls), ILC North (Aberdeen), NAAP and WRIL.
3. If all areas of the state are designated as being served with Part C funds by a CIL, the next priority is that additional Part C funds will be distributed to existing Part C centers proportionate to their current Part C funding in order to maintain or increase the level of services in their respective service areas. Additionally, the SILC and DSE have determined that although the entire state has access to services from the existing CILs, the entire state is underserved.

In the event that a Part C grant to a Center for Independent Living is relinquished or terminated, the unused funding will be subject to the competitive discretionary grant process conducted by ACL made available to existing and prospective new Centers for Independent Living. This grant process would re-establish a new center in the vacated area. If there are no fundable applicants, then the funds would be distributed to the other CILs proportionate to their current Part C award to serve their current service areas. The vacated area would remain unserved by Part C funds and the Designated State Unit could reallocate the Part B funds and other funds to cover this

unserved area to the existing CILs to cover the unserved area. Due to startup costs that would be necessary with forming a new CIL, it is

determined that a minimum of \$150,000 of combined funding would be needed to establish another CIL to serve the unserved area. If the unserved area includes Native American Tribal Reservation areas, Native American non-profit organizations would be encouraged to apply to operate a CIL in that area.

### 3.3 Section 723 States Only

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

## Part II: Narrative: Section 4 - Designated State Unit (DSU)

### 4.1 Administrative Support Services

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.

Refer to the SPIL Instructions for additional information about administrative support services.

South Dakotas Division of Rehabilitation Services awards Part B funds directly to CILs for the provision of IL services. Part B funds are also used to fund the SILC resource plan. The DSE staff monitors the agreements with the CILs annually, and ongoing as needed.

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

At its February 2016 meeting, the SILC passed a motion to have the South Dakota Division of Rehabilitation Services (DRS) serve as the Designated State Unit. In this role, DRS provides fiscal oversight for the Part B funds awarded to the four CILs in South Dakota. The DSE staff provides direct oversight of these funded activities and technical assistance to the CILs as requested.

## Part II: Narrative: Section 5 - Statewide Independent Living Council (SILC)

### 5.1 Resource plan

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.

- Refer to the SPIL Instructions for more information about completing this section.

For more information click the icon.

The SILC Resource Plan allocates federal funding from Title I Innovation and Expansion funds for the operation of the SILC. The major areas funded are Council staff salaries and benefits; SILC member travel; teleconference expenses; council/staff members training; staff travel; office expenses i.e., rent, supplies, copy machine, phones - (long distance and toll- free); insurance; expenses related to holding public forums; and funding to support strategic planning activities. This allocation plan funds SILC activities, which must be completed to meet the goals and objectives of this SPIL.

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.

There is an excellent system in place for checks and balances to ensure the fiscal accountability of the SILC. SILC staff develops an annual budget, and any modifications during the year are approved by the entire SILC. Staff keeps a detailed accounting of expenditures through their work with a local accounting firm. At each of the quarterly SILC meetings, staff presents a financial report on expenditures to date and remaining balances. SILC staff submits requests for reimbursement of expenses to the DSE, Division of Rehabilitation Services, on a bi-monthly basis.

- Non-inclusion of conditions or requirements in the SILC resource plan that may compromise the independence of the SILC.

There are no conditions or requirements in the SILC Resource Plan that would compromise the independence of the SILC. The contract to purchase staff support services for the SILC is administered by the DSE. The SILC executive

committee reviews and approves the statement of work prior to the contract bid letting. The DSE consults with the IL Council Chairperson prior to approving the contract. Any contract or budget amendments affecting the Council are reviewed and approved by the Council executive committee and reported to the full Council.

- Reliance, to the maximum extent possible, on the use of resources in existence during the period of implementation of the State plan.

N/A

## 5.2 Establishment and Placement

Describe how the establishment and placement of the SILC ensures its independence with respect to the DSU and all other State agencies. Refer to the SPIL Instructions for more information about completing this section.

The South Dakota SILC is established under the State of South Dakota, Office of the Governor, Executive Order 93 - 6. Executive Order 93 - 6 addresses the role of the SILC, its composition, appointing authority and the SILCs duties. Governor Walter D. Miller signed this Executive Order June 9, 1993. The independence of the SILC, with respect to the DSE and all other State agencies, is ensured by the DSE only acting as a fiscal agent. SILC support is provided through a contract relationship with a contracted SILC support agency through the Request for Proposal Process laid out in SDCL 5-18D-17 to 5-18D-22. SILC staff is supervised and evaluated by SILC leadership or the SILC as a whole.

These types of contracts over \$50,000 need to go through a Request for Proposal Process as laid out in SDCL 5-18D-17 to 5-18D-22.

## 5.3 Appointment and Composition

Describe the process used by the State to appoint members to the SILC who meet the composition requirements in section 705(b). Refer to the SPIL Instructions for more information about completing this section.

The Governor completes all appointments to the SILC, including ex-officio appointees representing various agencies of State government. The SILC is presently comprised of a total of 17 members. Seven of these members are persons with disabilities, and they are not employed by a State agency or a CIL. Staff of the Divisions of Rehabilitation Services (DSE) and Service to the Blind and Visually Impaired (the separate agency serving individuals who are blind or visually impaired) are both ex-officio members of the SILC. The total number of voting members is 12, and one of the voting members is a CIL director chosen by the CIL directors within the state. One member is a representative of the Native American Tribal VR in South Dakota. The types of

disability groups represented by current SILC members are physical, mental, cognitive, sensory and multiple. The South Dakota SILC also includes representatives from the SD Department of Social Services and the SD Housing Development Authority. Current membership also provides for statewide representation. The SILC Chairperson, Vice- Chairperson and Member-at-Large are all elected from and by the voting members. No member of the SILC may serve more than two consecutive three- year terms. When vacancies occur, the replacements are appointed by Governor, either at the time annually when new appointments are made, or during the interim, depending on the desire of the Governor. All current appointee recommendations sent to the Governor are persons with disabilities.

#### 5.4 Staffing

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.

The SILC has administrative staff through a purchase of service agreement between the contracted SILC staff and the Division of Rehabilitation Services. This agreement provides for similar staff support for the State Rehabilitation Council. The SILC Chairperson gives primary direction to staff, and some examples of activities carried out by staff are:

Complete all logistical arrangements for regular and special SILC meetings.

Handle correspondence, including minutes, public notices, letters, press releases and reports.

Provide support to committees, including scheduling, facility arrangements and material preparations.

Schedule, promote and conduct community forums to obtain public comment for the State Plan for Independent Living services.

Conduct research, gathers information and meets with collaborating organizations to assist the Council to accomplish its goals and objectives, as directed by the SILC.

Assist in preparing and submitting the annual Section 704 report and the State Plan for Independent Living.

Complete travel arrangements for SILC members and make reimbursement payments for allowable expenses.

Administer funding in support of events and projects, which the SILC has previously approved, and which support persons with significant disabilities living as independently as possible, as well as promoting the IL philosophy.

SILC staff and the SILC Executive Committee have regular contact, including teleconference calls, to conduct SILC business. There are no staff assignments made that would create a conflict of interest.

The contract to purchase support services is a multi-year contract and is evaluated annually. The DSE seeks feedback from the chairpersons of the involved parties on the quality of services being provided, the adequacy of the level of staff support being provided, and their interest in continuing this arrangement.

- 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.

Assignments made to staff are made by the SILC chairperson or their representative. Thus no conflict of interest arises due to assignments coming from others.



## Part II: Narrative: Section 6 - Service Provider Requirements

Describe how the following service provider requirements will be met:

### 6.1 Staffing

- Inclusion of personnel who are specialists in the development and provision of IL services and in the development and support of centers.

The direction of the Statewide Independent Living Council is that South Dakota centers for independent living will employ personnel committed to the continued development and provision of quality independent living services and the goals and work of centers for independent living.

- 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.

ILC provides any reasonable accommodation requested by people served, staff, and board members. As a provider of disability services, ILC realizes it is vital we meet all reasonable accommodations and abide by the ADA regulations.

WRIL works to find a communication process that works for all parties involved through networking and unique techniques.

- 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.

ILC provides and uses job descriptions for each staff member employed. These job descriptions define essential functions of the job, qualifications/education/experience required, as well as skills and responsibilities required to do the job. Each staff member is given a copy of this job description and it is reviewed and/or updated yearly.

WRIL subscribes to ILRU and receives training notifications concerning IL services and philosophy when they are available. WRIL also expects ILS and other staff providing direct services to read the IL manual online and stay up to date via their own devices on IL. The Director and Coordinator also send out IL updates when they receive them.

- 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.

ILC has a well-defined/detailed set of personnel policies. Included in these policies are sections that deal with staff development and performance, as well as policies of nondiscrimination and affirmative action.

WRIL opens ALL of its positions to people with disabilities and we make sure to notify DLR (Department of Labor and Regulation) and add it on our Craigslist ads. WRIL also makes accommodations when needed for employees.

## 6.2 Fiscal Control and Fund Accounting

- 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.

DRS reimburses CILs based on a unit of service cost. DRS works closely with the Department of Human Services Office of Budget and Finance to assure that claims are paid accurately and on time, and that these fiscal transactions meet EDGAR requirements.

DRS uses a modified accrual basis of accounting consistent with most other agencies of the State of South Dakota. Modified accrual accounting is used to show the flow of financial assets to the funds and balances available for spending at year end. Each of South Dakotas four CILs will follow its established fiscal policies and cost allocation plan, and they will be responsible for monitoring and maintaining records of their expenditures to assure compliance with EDGAR fiscal and accounting requirements.

## 6.3 Recordkeeping, Access and Reporting

- Maintenance of records that fully disclose and document the information listed in 34 CFR 364.35.

DRS maintains supporting documentation of accounting transactions on-site for the current and prior fiscal years. The State of South Dakotas Records Center 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.

- Submission of annual performance and financial reports, and any other reports that the Secretary determines to be appropriate

DRS completes and submits all required annual performance and financial reports, as well as any others, which the Secretary determines to be appropriate. In addition, DRS provides access to the Commissioner and Comptroller General, or their representatives, when requested, for the purpose of conducting audits, examinations and compliance reviews. IL Network members also routinely consult with representatives of the Commissioner, seeking needed technical assistance relating to the delivery of IL services.

- 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.

N/A

#### 6.4 Eligibility

- 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.

For services provided directly by the CILs, each entity maintains consumer service records documenting eligibility based on existing medical records or self-reported information from the consumer. They also maintain information and referral data so that consumers can be referred to other appropriate services and agencies. The CILs provide independent living services to any individual present in the state, who meets eligibility requirements, without regard to age, color, creed, gender, national origin, race, religion, or type of disability and in accordance with 34 CFR 364.4(b).

- 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.

Information and referral for IL services is provided to all interested individuals. There is no eligibility requirement to attain the service, and an individual is not required to open a CSR for only information and referral. These services are provided without regard to age, color, creed, gender, national origin, race, religion, or type of significant disability.

- 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.

Each of the CILs in South Dakota will assure that individuals with significant disabilities within its designated service area that are otherwise eligible for services; are identified in its consumer eligibility process and determined eligible for and provided with IL services.

CILs will be responsible for following its established consumer eligibility determination process to assure that eligible consumers have access to their services.

All potential consumers are prescreened for eligibility of IL services in a manner that meets the requirements of 34 CFR 364.51 prior to the provision of services.

- 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.

The CILs provide independent living services to any individual present in the state, who meets eligibility requirements, without regard to age, color, creed, gender, national origin, race, religion, or type of disability.

- 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.

There are no specific residency requirements for the provision of IL services. Although the state recognizes that the limited funds available need to be reserved for SD residents first. Generally, referrals from individuals living in a bordering state are referred to a CIL in their local area.

#### 6.5 Independent Living Plans

- 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 CILs maintain a consumer service record that includes either a written IL plan, mutually agreed upon by the consumer and IL staff, or a signed waiver stating that an IL plan is unnecessary. Each entity is responsible for following its identified method of assuring that consumers are provided the opportunity to develop or waive an Independent Living Plan and that their decision is indicated via signature. Furthermore, individuals choosing to develop an ILP will be assisted by their corresponding CIL staff in doing so.

#### 6.6 Client Assistance Program (CAP) Information

- 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 CILs provide information to every consumer, in written and other accessible formats, about the purpose and availability of the Client Assistance Program. This information includes ways by which to contact the CAP program.

Each of the CILs in South Dakota will be responsible for following its policies of assuring that consumers are notified of the availability of the Client Assistance Program in South Dakota and related contact information in formats that are accessible to the individual being served.

#### 6.7 Protection, Use and Release of Personal Information

- 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.

CILs have written policies that assure the confidentiality of all personal information. They also will have written policies concerning release of information forms, which will comply with 34 CFR 364.56(a) and HIPAA. Each CIL will have the responsibility for following its policies, which assure consumer information is kept confidential, as well as policies guiding the use of signed releases of information prior to sharing consumer information with other service providers or entities.

## Part II: Narrative: Section 7 - Evaluation

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.

### Section 7: Evaluation

<b>Goal(s) and the related Objective(s) from Section 1</b>	<b>Method that will be used to evaluate</b>
Goal I	<p>1.1a Research current CIL minimum staff qualifications for direct service staff.</p> <p>1.1b Research best practices for minimum staff qualification for direct service staff.</p> <p>1.1c Develop minimum staff qualifications for direct service staff and recommend use by all Part B funded CILs.</p> <p>1.2a Research current wages of CIL direct service delivery staff.</p> <p>1.2b Compare current wages to similar community based agency direct service delivery staff in staff.</p> <p>1.2c Make recommendations for ensuring CI direct service delivery staff wages are and remain competitive with other similar staff in state.</p> <p>1.2c Make recommendations for ensuring CIL direct service delivery staff wages are and remain competitive with other similar staff in-state.</p> <p>1.3a Research available state and federal training resources supporting minimum direct service staff competency requirements.</p> <p>1.3b Support direct service delivery staff participating in training to meet minimum staff competency requirements.</p>
Goal II	<p>2.1a The SILC Consumer Services workgroup will identify best practices and related training curriculums for CILs to use in promoting and teaching self-advocacy.</p>

	<p>2.1b Once self-advocacy training curriculums have been identified and implemented by the CILs, the Consumer Services workgroup will develop and implement an evaluation tool to measure how well CILs promote and teach self-advocacy to those served.</p> <p>2.2a The SILC Public Awareness workgroup will develop, and recommend the SILC implement, an annual recognition program for IL participants who demonstrate outstanding self-advocacy skills and accomplishments.</p>
Goal III	<p>3.1a. Annually review 704 Report data to identify potential underserved populations and geographic areas within the state.</p> <p>3.1b Review current Part C funding levels, as one factor in considering making adjustments to the awarding of Part B funds in support of increased services to underserved populations and/or geographic areas.</p> <p>3.2a Consumer Services workgroup will develop a mini-grant system for CILs to annually compete competitively for SILC funds to support an initiative designed to conduct special networking and outreach activities to promote increased program participation by an underserved population in their service area.</p>
Goal IV	<p>4.1a. SILC and CILs will work to identify gaps in services, critical to people successfully living independently e.g., transportation, housing though the review and completion of research into what currently exists.</p> <p>4.1b SILC and CILs review current best practices in</p>

	<p>these critical service areas.</p> <p>4.1c SILC will summarize findings and submit program and policy recommendations to appropriate state and Federal leaders.</p>
Goal V	<p>5.1a. Conduct program/case file reviews annually.</p> <p>5.1b Monitor contract compliance annually.</p> <p>5.1c Revise the CIL Directors report format to reflect current SPIL goal and objectives.</p> <p>5.1d Submit required state and federal reports.</p> <p>5.2a Review, and revise as needed, instruments that measure consumer satisfaction with the services they received.</p> <p>5.2b Analyze results and report findings to SILC and CILs for planning/administrative purposes.</p>



## Part II: Narrative: Section 8 - State-Imposed Requirements

### 8 State-Imposed Requirements

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

The HMAD program requires a financial needs test, which takes into account the individuals income and resources, and it is applied uniformly to all individuals who are in the program.

The DSE must comply with the following State fiscal requirements when distributing funds through contractual relationships:

Request for Proposal Process for professional services required by SDCL 5-18D-17 to 5-18D-22

SB162 State Board of Internal Control

2 CFR Section 200.330 Federal Pass-Through Funds