

SPIIL Instrument – 2021-2023

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 2021-2023

Effective Date: October 1, 2020

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Executive Summary

Concisely summarize the State Plan for Independent Living (SPIL). Do not include anything that the SPIL's other sections do not include. An appropriate length for the executive summary is 1-2 pages.

The mission, goals, objectives, and actions steps of the North Dakota (ND) three-year Statewide Plan for Independent Living (SPIL) for 2021-2023 are defined in Section 1 of the SPIL. The mission of the ND Independent Living (IL) Network, to include the Centers for Independent Living (CIL) and the SPIL is to lead IL Network (North Dakota Centers for Independent Living) by developing resources and advocating for full community participation of North Dakotans with disabilities.

The ND Independent Living Network is made of four CILs as outlined in Section 3 – Existing Network, ND Statewide Independent Living Council (SILC) as outlined in Section 5 – SILC, and the Department of Human Services – Division of Vocational Rehabilitation (VR) as outlined in Section 4 – Designated State Entity (DSE).

The SPIL contains four goals to achieve progress toward our mission:

- The Independent Living CIL Network operates effectively, is fully funded and has the capacity to expand.
- The SILC and CILs will increase the understanding of the IL philosophy with those served supporting individuals with disabilities to assume greater direct control and responsibility for their services, goals, and lives.
- The SILC, DSE, and CILs will collaborate with other disability organizations.
- The SILC recruits and maintains an active cross-disability consumer-controlled membership.

A consistent set of evaluation measures will assess the impact of each objective to the ultimate areas of change identified and is described in Section 1.4. The evaluation of the SPIL goals and objectives is included in annual reviews of the Program Performance Report (PPR). Annual PPR include tables related to individuals, service, and community activities of the CILs.

The fiscal aspects of the SPIL are explained in Section 1.5 and define amounts in the financial table by plan year. The financial narrative provides a summary of the anticipated sources, amounts, and proposed use of funds to support the SPIL goals and objectives by plan year. It includes an explanation of the distribution of the required state match and CARES Act funding.

The scope of IL services provided, outreach related to unserved and underserved populations, coordination of service and cooperation among programs, and organizations to support inclusive community living are described in Section 2.

The network of North Dakota centers for independent living is identified in Section 3. The existing network, Section 3.1, identifies the CIL by name, geographic area/counties served. Funding of the center activities is explained in Section 3.2 as: federal Title VII Part B; Title VII Part C, and State General Revenue sufficient to meet the required state match to Title VII Part B.

Section 4 represents the Designated State Entity (DSE) response to their administrative responsibilities related to the SPIL. North Dakota Vocational Rehabilitation is identified as the DSE.

Section 5 defines the ND SILC. Section 5.1 relates to the establishment of the SILC and how its autonomy is assured. Section 5.2 explains the SILC resource plan to confirm that the funding is necessary and sufficient to fulfill all duties and authorities. Section 5.3 provides a narrative to address the process used by the State to appoint members to the SILC who meet the composition requirements as defined in section 705 (b) of the Rehabilitation Act.

Section 6 provides legal certifications for the identification of entities involved with authorities and responsibilities for the SPIL. Section 7 identifies the DSE assurances and articulates the administrative role and responsibilities of the DSE. Section 8 provides the SILC Assurances and Indicators of Minimum Compliance, detailing the functions, authorities, and requirements of operating as a SILC.

Section 1: Goals, Objectives and Activities

1.1 Mission

Mission of the Independent Living Network and the SPIL.

The mission of the Statewide Independent Living Council (SILC) is to lead the Independent Living Network (North Dakota Centers for Independent Living) by developing resources and advocating for full community participation of North Dakotans with disabilities.

1.2 Goals

Goals of the Independent Living (IL) Network for the three-year period of the plan.

The SILC with the designated state entity (DSE) and CIL representatives have established the following four overall goals under the plan for federal fiscal years 2021 – 2023 and has determined them to be consistent with its mission and Title VII, Chapter 1 of the Act.

Goal I: The Statewide Independent Living Council and the Centers for Independent Living will improve service outcomes to North Dakotans with disabilities.

Goal II: The Statewide Independent Living Council and the Centers for Independent Living will increase understanding of the independent living philosophy with those served and other supporting them.

Goal III: The Statewide Independent Living Council, Designated State Entity, and the Centers for Independent Living will collaborate with other disability organizations.

Goal IV: The Statewide Independent Living Council recruits and maintains and active cross-disability, consumer-controlled membership to ensure the Statewide Independent Living Council functions optimally.

1.3 Objectives

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

GOAL I		
The Statewide Independent Living Council and the Centers for Independent Living will improve service outcomes to North Dakotans with disabilities.		
Objectives to be achieved	Time frame start date	Time frame end date
1. CILs will have financial resources to support full community participation for North Dakotans	10/01/2020	09/30/2023
2. North Dakotans have access to the services they need	10/01/2020	09/30/2023
3. The SILC will strive to have updated information so we can serve North Dakotans to the best of our ability	10/01/2020	09/30/2023
Indicators to be achieved	Time frame start date	Time frame end date
1.1 The SILC will analyze the 2020 census data to update the current funding formula to assess the needs, funding and resources to fully fund and support delivery of independent living services statewide in the next three years.	10/01/2020	09/30/2023
1.2 The SILC will assist with testimony to request additional state funding for services and programs needed for consumers during the legislative session.	10/01/2020	09/30/2023
1.3 If necessary, the SILC will assist with writing letter of support for CILs to get grants to assist them with funding to better serve North Dakotans in the next three years.	10/01/2020	09/30/2023
1.4 The SILC will create an annual report of statewide IL services that will be shared with pertinent personnel such as disability	10/01/2020	09/30/2023

related organizations, the governor, DHS executive director, housing, transportation, etc.to educate and provide information on IL services.		
2.1 Eighty percent of North Dakotans with disabilities utilizing services from a CIL report that CIL services made a difference in their life as measured by the Consumer Satisfaction Survey sent out by the SILC in the next three years.	10/01/2020	09/30/2023
2.2 By using the 704 report (baseline), the SILC will explore options for increasing IL services to unserved/underserved populations and provide recommendations to the CILs in the next three years.	10/01/2020	09/30/2023
3.1 The SILC will send at least one person to two conferences annually to get the most accurate and updated information in which they can present to the entire SILC in the next three years.	10/01/2020	09/30/2023
GOAL II		
The Statewide Independent Living Council and the Centers for Independent Living will increase understanding to North Dakotans of the independent living philosophy with those served and others supporting them.		
Objective to be achieved	Time frame start date	Time frame end date
1. ND CILs will have continuity of statewide IL services	10/01/2020	09/30/2023
2. The ND SILC will increase stakeholder awareness of the value of IL services throughout North Dakota	10/01/2020	09/30/2023
3. The SILC/CIL members will educate North Dakota community members on IL philosophy	10/01/2020	09/30/2023
Indicators to be achieved	Time frame start date	Time frame end date
1.1 Over the next three years ND SILC will develop a best practices policy for IL service delivery using the previous 34 CFR as guidance.	10/01/2020	09/30/2023
2.1 The SILC will identify key stakeholders that are best positioned to collaborate on needs identified from the Statewide Consumer Needs Assessment and invite them to attend quarterly SILC meetings for the next three years.	10/01/2020	09/30/2023
2.2 After identifying key stakeholders the SILC will create a survey to assess current knowledge of IL philosophy and services to determine areas of education and collaboration within the next three years.	10/01/2020	09/30/2023
2.3 The ND SILC will invite local and state elected officials to attend each quarterly SILC meeting to enhance the knowledge of the IL philosophy and services in the next three years.	10/01/2020	09/30/2023

2.4 The SILC will develop a follow-up protocol to determine the outcome or availability of services with stakeholders attending meetings of the SILC in the next three years.	10/01/2020	09/30/2023
3.1 The SILC and CILs will create an annual report to reflect numbers served, advocacy, systemic barriers, etc. utilizing data from the 704 federal report to send to community providers, elected officials, policy makers, etc. to provide information on IL efforts in North Dakota for the next three years.	10/01/2020	09/30/2023
GOAL III		
The Statewide Independent Living Council, Designated State Entity, and the Centers for Independent Living will collaborate with other disability organizations throughout North Dakota.		
Objectives to be achieved	Time frame start date	Time frame end date
1. The SILC and CILs will collaborate to identify and address system barriers to full community participation in urban and rural areas of North Dakota.	10/01/2020	09/30/2023
2. Coordinate with other North Dakota entities to maximize and avoid duplication of services provided by CILs.	10/01/2020	09/30/2023
3. The SILC, SRC, CILs, DSE, and other North Dakota disability-related organizations will maintain open communication on an ongoing basis.	10/01/2020	09/30/2023
Indicators to be achieved	Time frame start date	Time frame end date
1.1 The SILC and CILs will conduct a triannual consumer needs assessment regarding the effectiveness of IL services and barriers to community participation in ND.	10/01/2020	09/30/2023
1.2 The SILC will educate disability related organizations about the correct referral process to CILs throughout ND, so ND citizens do not have a delay in services within the next three years.	10/01/2020	09/30/2023
1.3 SILC members will participate with the CILs during an annual community forum to assess consumer needs and barriers in ND.	10/01/2020	09/30/2023
2.1 During the legislative sessions, the SILC, CILs, and the DSE will track bills that pertain to IL services.	10/01/2020	09/30/2023
2.2 The SILC will better understand how collaboration and maximizing of fiscal and staff resources is enhanced through inviting disability related organizations to present their organizations services at six quarterly meetings in the next three years.	10/01/2020	09/30/2023
3.1 The SILC will designate members to attend meetings for at least four (4) other disability organizations to represent the SILC and independent living services in ND and report	10/01/2020	09/30/2023

quarterly on what those organizations are doing for the next three years.		
GOAL IV		
The Statewide Independent Living Council recruits and maintains an active cross-disability, consumer-controlled membership to ensure the Statewide Independent Living Council functions optimally.		
Objective to be achieved	Time frame start date	Time frame end date
1. The ND SILC will have a diverse council with representation throughout the state of ND	10/01/2020	09/30/2023
2. New members understand the role of the ND SILC and their role on the SILC	10/01/2020	09/30/2023
3. The ND SILC will have good leadership from throughout the state to fulfill the role of the ND SILC	10/01/2020	09/30/2023
4. The ND SILC will ensure they are on track to meet their regional and state goals	10/01/2020	09/30/2023
5. The ND SILC will be in compliance with federal standards	10/01/2020	09/30/2023
Indicators to be achieved	Time frame start date	Time frame end date
1.1 The SILC will work with the Governor's office to fill appointments with qualified individuals that can benefit the council, each time a new application is submitted.	10/01/2020	09/30/2023
1.2 The SILC will utilize modern methods of technology such as social media to recruit for SILC members to ensure that the ND SILC can get good quality members in the next three years.	10/01/2020	09/30/2023
1.3 In the next three years, the SILC will analyze the make-up of the council to assess areas that are underrepresented so that those can be areas of future recruitment to allow for better diversity.	10/01/2020	09/30/2023
2.1 SILC members will be made knowledgeable about the roles and responsibilities of the SILC and its committees, IL philosophy, IL services and IL standards, and indicators within the first two meetings of their first term on the council to effectively participate and engage in the SILC.	10/01/2020	09/30/2023
2.2 Each new member will tour a local CIL and meet with staff and consumers to understand how the CIL operates and services they provide within the first two meetings of their first term.	10/01/2020	09/30/2023
3.1 The SILC will vote on officers every two years that will ensure the best interest of the council are met.	10/01/2020	09/30/2023
3.2 The SILC Chair will appoint committee chairs and will also appoint SILC members to a subcommittee to help the SILC function for the next three years.	10/01/2020	09/30/2023

4.1 On a quarterly basis, the SILC will monitor progress on the SPIL related to goals, objectives, and indicators for the next three years.	10/01/2020	09/30/2023
4.2 Each SILC member will complete an annual training needs assessment each fall to determine the training needs provided at quarterly meetings for the next three years so the SILC can ensure that members are able to fully engage in the council.	10/01/2020	09/30/2023
4.3 Each SILC member will complete an annual survey each fall to determine their level of involvement on the council and any changes they would like to see made to make sure the council is functioning optimally for the next three years.	10/01/2020	09/30/2023
5.1 The SILC will identify and recommend changes be made to the state legislative and administrative rules to be in compliance, prior to legislative sessions.	10/01/2020	09/30/2023
5.2 Annually, the SILC will review policies, bylaws, and guidebook to ensure the SILC will be in compliance with federal standards and indicators.	10/01/2020	09/30/2023

1.4 Evaluation

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

Timeline	Goals (copy from section 1.2 above)	Objectives (copy from section 1.3 above)	Data to be collected	Data collection method	Organization primarily responsible for data collection (please check as many as apply)
<i>Throughout 3-year period</i>	<i>Improve service outcomes to North Dakotans with disabilities</i>	<i>CILs will have financial resources to support full community participation</i>	<i>Analyze 2020 census data to update funding formula</i> <i>Create an annual report of IL services</i>	<i>ND Census data</i> <i>704 reports and surveys</i>	<input checked="" type="checkbox"/> <i>CIL</i> <input checked="" type="checkbox"/> <i>DSE</i> <input checked="" type="checkbox"/> <i>SILC</i>
<i>Throughout 3-year period</i>	<i>Same as above</i>	<i>North Dakotans have access to the</i>	<i>Determine if individuals that utilized a CIL benefited</i>	<i>Needs Assessment Survey</i>	<input checked="" type="checkbox"/> <i>CIL</i> <input checked="" type="checkbox"/> <i>DSE</i> <input checked="" type="checkbox"/> <i>SILC</i>

		<i>services they need</i>	<i>Options for increasing IL services to unserved/underserved populations</i>	<i>704 report</i>	
<i>Throughout 3-year period</i>	<i>Same as above</i>	<i>The SILC will strive to have updated information so we can serve North Dakotans to the best of our ability</i>	<i>Sending SILC members to conferences</i>	<i>Administrative Data</i>	<input checked="" type="checkbox"/> CIL <input checked="" type="checkbox"/> DSE <input checked="" type="checkbox"/> SILC
<i>Throughout 3-year period</i>	<i>The SILC and CILs will increase understanding of the IL philosophy with those served and others supporting them</i>	<i>ND CILs will have continuity of statewide IL services</i>	<i>Develop a best practice policy for IL service delivery to ensure continuity of IL practice statewide</i>	<i>Use the CFR to come up a with a policy to use statewide</i>	<input checked="" type="checkbox"/> CIL <input checked="" type="checkbox"/> DSE <input checked="" type="checkbox"/> SILC
<i>Throughout 3-year period</i>	<i>Same as above</i>	<i>The ND SILC will increase stakeholder awareness of the value of IL services</i>	<i>Identify key stakeholders and invite them to SILC quarterly meetings</i> <i>Assess current knowledge of IL philosophy to determine educational areas</i> <i>Invite local and state officials to</i>	<i>Statewide Consumer Needs Assessment Survey to identify the areas of most need to get those stakeholders</i> <i>Create a survey that we will give to stakeholders</i> <i>Will be assigned to a</i>	<input checked="" type="checkbox"/> CIL <input checked="" type="checkbox"/> DSE <input checked="" type="checkbox"/> SILC

			attend quarterly meetings	subcommittee and tracked administratively	
			Determine the outcome or availability of services with stakeholders that attend our meetings	Subcommittee will develop a protocol for stakeholders that attend the SILC meetings for future needs	
Throughout 3-year period	Same as above	The SILC/CIL members will educate community members on IL philosophy	Create an annual report to reflect numbers served, advocacy, systemic barriers, etc. to statewide stakeholders	704 report	<input checked="" type="checkbox"/> CIL <input checked="" type="checkbox"/> DSE <input checked="" type="checkbox"/> SILC
Throughout 3-year period	The SILC, DSE, and CILs will collaborate with other disability organizations	The SILC and CILs will collaborate to identify and address system barriers to full community participation	Effectiveness of IL services and barriers to community participation Educate stakeholders on CIL referral process Hold annual community forum to address consumer needs and barriers	Triannual Consumer Needs Assessment This will be tracked administratively by the CIL directors or designee This will be tracked by the CIL Director administratively and feedback will be documented and presented to the SILC	<input checked="" type="checkbox"/> CIL <input checked="" type="checkbox"/> DSE <input checked="" type="checkbox"/> SILC
Throughout 3-year period	Same as above	Coordinate with other entities to maximize and avoid	Track bills and administrative policy that pertain to IL services	Administratively	<input checked="" type="checkbox"/> CIL <input checked="" type="checkbox"/> DSE <input checked="" type="checkbox"/> SILC

		<i>duplication of services provided by CILs</i>	<i>Invite other disability organizations to SILC meetings to maximize collaboration</i>	<i>This will be tracked administratively</i>	
<i>Throughout 3-year period</i>	<i>Same as above</i>	<i>The SILC, SRC, CILs, DSE, and other disability-related organizations maintain open communication on an ongoing basis</i>	<i>Designate members to attend meetings at other disability organizations</i>	<i>This will be tracked and recorded administratively</i>	<input checked="" type="checkbox"/> CIL <input checked="" type="checkbox"/> DSE <input checked="" type="checkbox"/> SILC
<i>Throughout 3-year period</i>	<i>The SILC recruits and maintains and active cross-disability, consumer-controlled membership to ensure the SILC functions optimally</i>	<i>The SILC will have a diverse council</i>	<i>Work with the Governor's office for appointments</i> <i>Use social media to get new SILC members</i> <i>Analyze the make-up of the council</i>	<i>Administratively</i> <i>Track this administratively by reaching out the CILs</i> <i>Looking over our current membership spreadsheet to determine who is not represented - Administratively</i>	<input checked="" type="checkbox"/> CIL <input checked="" type="checkbox"/> DSE <input checked="" type="checkbox"/> SILC
<i>Throughout 3-year period</i>	<i>Same as above</i>	<i>New members understand the role of the SILC and their role on the SILC</i>	<i>New SILC members are knowledgeable about roles and responsibilities and understanding of IL services</i>	<i>Administratively as we have an orientation binder where this information is tracked for both of these items</i>	<input checked="" type="checkbox"/> CIL <input checked="" type="checkbox"/> DSE <input checked="" type="checkbox"/> SILC

			<i>New members tour a CIL to understand how a CIL operates</i>		
<i>Throughout 3-year period</i>	<i>Same as above</i>	<i>The SILC will have good leadership to fulfill the role of the SILC</i>	<i>SILC will vote on members every two years</i> <i>Appoint new members to subcommittees and chairs of the subcommittees</i>	<i>This is tracked administratively</i> <i>This is tracked administratively</i>	<input checked="" type="checkbox"/> CIL <input checked="" type="checkbox"/> DSE <input checked="" type="checkbox"/> SILC
<i>Throughout 3-year period</i>	<i>Same as above</i>	<i>The SILC will ensure they are on track to meet their established goals</i>	<i>Monitor the progress on the SPIL</i> <i>Determine training needs for SILC members</i> <i>Determine the level of involvement that each SILC member has</i>	<i>We track this administratively using "The GRID" spreadsheet which is filled out by each subcommittee at each meeting and is a standing agenda item</i> <i>Annual Needs Assessment for SILC Members</i> <i>Annual Needs Assessment for SILC Members</i>	<input checked="" type="checkbox"/> CIL <input checked="" type="checkbox"/> DSE <input checked="" type="checkbox"/> SILC
<i>Throughout 3-year period</i>	<i>Same as above</i>	<i>The SILC will be in compliance with federal standards</i>	<i>Identify and recommend changes for state legislative and administrative rules when needed</i> <i>Review policies, bylaws, and guidebook annually</i>	<i>This will be tracked administratively</i> <i>This will be tracked administratively</i>	<input checked="" type="checkbox"/> CIL <input checked="" type="checkbox"/> DSE <input checked="" type="checkbox"/> SILC

1.5 Financial Plan

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

Fiscal Year(s): 2021 (Year 1)					
Sources	Projected Funding Amounts and Uses				
	SILC Resource Plan	IL Services	General CIL Operations	Other SPIL Activities	Retained by DSE for Administrative costs
Title VII Funds					
Chapter 1, Subchapter B			338,717		
Chapter 1, Subchapter C			315,667		
Other Federal Funds					
Sec. 101(a)(18) of the Act (Innovation and Expansion)					
Social Security Reimbursement					
Other – CARES Act			651,315		
Other					
Non-Federal Funds					
State Funds			847,460.50		
Other (Basic Support 110 Funds)	38,543				

Fiscal Year(s): 2022 (Year 2)					
Sources	Projected Funding Amounts and Uses				
	SILC Resource Plan	IL Services	General CIL Operations	Other SPIL Activities	Retained by DSE for Administrative costs
Title VII Funds					
Chapter 1,			338,717		

Subchapter B					
Chapter 1, Subchapter C			315,668		
Other Federal Funds					
Sec. 101(a)(18) of the Act (Innovation and Expansion)					
Social Security Reimbursement					
Other					
Non-Federal Funds					
State Funds			847,460.50		
Other (Basic Support 110 Funds)	38,543				

Fiscal Year(s): 2023 (Year 3)					
Sources	Projected Funding Amounts and Uses				
	SILC Resource Plan	IL Services	General CIL Operations	Other SPIL Activities	Retained by DSE for Administrative costs
Title VII Funds					
Chapter 1, Subchapter B			338,717		
Chapter 1, Subchapter C			315,668		
Other Federal Funds					
Sec. 101(a)(18) of the Act (Innovation and Expansion)					
Social Security Reimbursement					
Other					
Non-Federal Funds					

State Funds			847,460.50		
Other (Basic Support 110 Funds)	38,543				

Description of financial plan narrative.

The Financial Table listed above was developed using the amounts obtained from the 2020 Independent Living Services Grant Notice of Award (NoA). These amounts change year by year. Because of this there is no definite way to accurately determine amounts, so this is a best estimate with the information that was available.

Subchapter B funding of \$359,076.50 will be utilized to provide independent living services to North Dakotans with disabilities. Distribution of funds is allocated using the funding formula located in Section 3.2 of the SPIL. The DSE does not retain any part of Part B funding for administration.

Subchapter C funding of \$315,667 will be utilized to support the four CILs in North Dakota in operating expenses and serving clients. In accordance with Title I and Title VII of the Rehabilitation Act of 1973, as amended the funds will be utilized to provide the five core services and goals, objectives, and activities identified per the SPIL.

Other funds include \$38,543 per year by the VR Basic Support 110 Funds for SILC including salaries and fringe benefits for SILC members, travel for SILC members to quarterly SILC meetings, professional development for conferences and membership dues, and professional service fees for interpreter fees.

North Dakota State provided \$847,460.50 in state general funds including the 10% state match for the CILS to utilize for general operations. These funds were legislatively approved for the 2019-2021 biennium.

CARES Act Funding will be utilized to continue operational activities and expenses related to COVID-19. These may include but not limited to technology, supplies, services and program activities as allowable under the CARES Act, and other expenses pertaining to COVID-19 as allowable. North Dakota received \$972,112 in CARES Act funds. We are estimating that we will have approximately \$651,315 remaining at the beginning of the 2021 SPIL.

Our contracts are signed biannually by each of the four CILs in North Dakota. In North Dakota we do not have a competitive process as we fund all four CILs per the funding formula in Section 3.2 of the SPIL. If there are carryover funds they would be included in the next biannual contract.

Section 2: Scope, Extent, and Arrangements of Services

2.1 Services

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

Table 2.1A: Independent living services	Provided using Subchapter B	Provided using other funds	Provided by
Core Independent Living Services, as follows:			
- Information and referral	X	X	- All CILs
- IL skills training	X	X	- All CILs
- Peer counseling	X	X	- All CILs
- Individual and systems advocacy	X	X	- All CILs
▪ Transition services including:	X	X	- All CILs
▪ Transition from nursing homes & other institutions	X	X	- All CILs
▪ Diversion from institutions	X	X	- All CILs
▪ Transition of youth (who were eligible for an IEP) to post-secondary life	X	X	- All CILs
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) Note: CILs are not allowed to own or operate housing.	X	X	- All CILs
Mobility training	X	X	- All CILs
Services and training for individuals with cognitive and sensory disabilities, including life skills training, and interpreter and reader services	X	X	- All CILs
Personal assistance services, including attendant care and the training of personnel providing such services			

Table 2.1A: Independent living services	Provided using Subchapter B	Provided using other funds	Provided by
Surveys, directories and other activities to identify appropriate housing, recreation, accessible transportation and other support services	X	X	- All CILs
Consumer information programs on rehabilitation and IL services available under this Act, especially for minorities and other individuals with disabilities who have traditionally been unserved or underserved by programs under this Act	X	X	- All CILs
Education and training necessary for living in the community and participating in community activities	X	X	- All CILs
Supported living			
Transportation, including referral and assistance for such transportation	X	X	- All CILs
Physical rehabilitation			
Therapeutic treatment			
Provision of needed prostheses and other appliances and devices			
Assistive Technology	X	X	- All CILs
Individual and group social and recreational services	X	X	- All CILs
Training to develop skills specifically designed for youths who are individuals with significant disabilities to promote self-awareness and esteem, develop advocacy and self-empowerment skills, and explore career options	X	X	- All CILs
Services for children with significant disabilities	X	X	- All CILs
Services under other Federal, State, or local programs designed to provide resources, training, counseling, or other assistance of substantial benefit in enhancing the independence, productivity, and quality of life of individuals with significant disabilities	X	X	- All CILs
Appropriate preventive services to decrease the need of individuals with significant disabilities for similar services in the future	X	X	- All CILs

Table 2.1A: Independent living services	Provided using Subchapter B	Provided using other funds	Provided by
Community awareness programs to enhance the understanding and integration into society of individuals with disabilities	X	X	- All CILs
Other necessary services not inconsistent with the Act	X	X	- All CILs

2.2 Outreach

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

2.2 Outreach

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

Considering the underfunding of the Independent Living Program on a whole both Federally and on a state bases, the Independent Living Program has traditionally had to be very resourceful in the way services are provided. As further described within Section 3.2 the application of the terms “unserved” and “underserved” in relation to the amount of funds needed to actually reach the population of people with disabilities within the state is so low it goes without saying all demographic groups are part of either an underserved or underserved group. The SILC assesses the service demographics on an annual basis and uses this information to discuss how to revise its annual objectives for its outreach plans.

Unserved

The North Dakota SILC looks at two measures in defining unserved populations. The first involves those persons with significant disabilities within the state which do not have access to all a Centers Core Services in a level equal to others who reside at or in close approximation to locations where a center staff person is based. The second is whether a specific identifiable population is not represented within the yearly consumer demographic data supplied by the four Centers located within the state. The demographic data includes county of residence, gender, disability, ethnicity, and age as found within each Centers’ Annual Program Performance Report (PPR).

Underserved

The methods used to identify underserved groups involve the application of processes similarly used for the identification of unserved groups. Underserved groups are those which do have access to all the core services but the demographic groups of users are not in statistical significant amounts to match the numbers found within the State as compared to the demographic data identified by the US Census.

Additionally, Council Members follows emerging disability groups which are highlighting their inequities in service delivery within the State so the SILC can incorporate their specialized needs into its plans and also follows changing demographics of our population to insure we are prepared and proportionately meeting their needs. Examples of this has involved having representatives of the Spinal Cord Injured and Traumatic Head Injured on the SILC as well as representatives of service providers for the aged on the SILC. The SILC has also continued to include at least one Native American representative whether a private citizen or through one of the various 121 Programs on the SILC, North Dakota's largest minority group.

Four individual and ad-hoc members are assigned collaborative roles with disability/service specific statewide groups as part of their SILC Board Member Positions. The committees the SILC is currently coordinating with is the North Dakota Committee on Aging, State Rehabilitation Council, Olmstead Commission, and the Medicaid Advisory Committee. During regularly held meetings time is set aside to report on topics important to coordinated service delivery. Since each individual Center's Director or their designee is also part of the meeting, they have opportunity to hear the information and discuss opportunities presented.

North Dakota has and will continue to have representatives from one of its Reservations either formally representing a Native American Service Provider such as a 121 Program or a minority group member who is Native American to inform the SILC of the best practices for service delivery for their members. Native Americans are the largest minority group served in North Dakota currently and historically. Through the analysis of the data on a micro level it was found that urban Native Americans may not be represented on an equal level. Because of this the External Affairs Committee will set up instructional two seminars, one from each, during two of the SILC meetings from an urban Native American Cultural Organization and a Native American Cultural Group found on one of North Dakota Higher Education Campuses.

Plan

Through reporting from the Statewide Needs Assessment, there are several individuals that report being underserved due to a lack of resources in the community they reside to include accessible transportation, housing, employment, and education.

Those underserved include youth with disabilities and individuals at risk or currently residing in institutional placements.

Youth that have the need for independent living services to facilitate their successful transition from secondary to post-secondary education or their transition from secondary education into the workforce. Individual's living or at risk of entering in institutional facilities need independent living services to increase independence and autonomy.

Through reporting from the Statewide Needs Assessment, there are a number of individuals that report being underserved due to a lack of resources in the

community they reside to include accessible transportation, housing, employment, and education.

2.3 Coordination

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

The SILC, CILs, and the DSE have developed several objectives in this SPIL that foster cooperation, coordination, and working relationships among many entities including the CILs, the DSE, the State Rehabilitation Council (SRC) and others.

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 SILC members that are designated/appointed to other committees. The SILC members report information from the meeting at the quarterly SILC meetings. We also extend invitations to various disability-related agencies to attend the SILC meetings.

The SILC, DSE, and CILs will work to create a stronger working relationship between disability related organizations. Primary entities with whom the SILC, DSE, and CILs 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
Money Follows the Person Grant
State Rehabilitation Council (SRC)
Veterans Organizations
Protection and Advocacy
Vocational Rehabilitation
Mental Health Association
Client Assistance Program (CAP)
American Indian Groups
Brain Injury Network of North Dakota
Olmstead Commission
Medicaid Advisory Committee
Developmental Disabilities Division
Program and Service of the State Assistive Technology Act (Tech Act)
North Dakota Vision Services/School for the Blind
High Plains Fair Housing
Committees on Accessible Transportation
Social Services
Senior Services
State Long Term Care Ombudsman*

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, and 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.

Section 3: Network of Centers

3.1 Existing Centers

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

Name of CIL	Geographic Area	Counties Served	Source of Funding	Oversight Process	Oversight Entity	SPIL Signatory
Independence Resource Center for Independent Living	Northwest Main office in Minot with a branch office in Bottineau	Bottineau, Burke, Divide, Renville, Rollette, McHenry, McKenzie, Mountrail, Pierce, Ward, Williams	Subchapter B with required 10% state funds & state IL general funds	Administered according to the SPIL with fiscal reviews	DSE and CIL board of directors	Yes
			Subchapter C	Provided from ACL	ACL and CIL board of directors	
			Other state agency funds	Provided to CILs	ACL and CIL board of directors	
			Other public and/or private sources	Developed by CILs, and may include fee-for-service funds, grants or contracts, corporate and foundation grants, donations, etc.	ACL and CIL board of directors	
			CARES Act Funding	Provided by CARES Act funding	ACL	
Options Interstate Resource	Northeast Main office in Greater	Benson, Cavalier, Eddy,	Subchapter B with the required 10%	Administered according to the	DSE and CIL board of directors	Yes

Center for Independent Living	Grand Forks with branch offices in: Cavalier, Devils Lake, and Harvey	Foster, Grand Forks, Griggs, Nelson Pembina, Ramsey, Steele, Towner, Traill, Walsh, Wells	state funds & state IL general funds	SPIL with fiscal reviews		
			Subchapter C	Provided from ACL	ACL and board of directors	
			Other state agency funds	Provided to CILs	ACL and CIL board of directors	
			Other public and/or private sources	Developed by the CILs, and may include fee-for-service funds, grants or contracts, corporate and foundation grants, donations, etc.	ACL and CIL board of directors	
			CARES Act Funding	Provided by CARES Act funding	ACL	
Freedom Resource Center for Independent Living	Southeast Main office in Fargo with branch offices in Wahpeton, Jamestown, Lisbon	Barnes, Cass, Dickey, LaMoure, Logan, McIntosh, Ransom, Richland, Sargent, Stutsman	Subchapter B with the required 10% state funds & state IL general funds	Administered according to the SPIL with fiscal reviews	Designated State Entity and CIL board of directors	Yes
			Subchapter C	Provided from ACL	ACL and CIL board of directors	
			Other state agency funds	Provided to CILs	ACL and CIL board of directors	
			Other public and/or private sources	Developed by the CILs, and may include fee-for-service funds, grants or contracts, corporate and	ACL and CIL board of directors	

				foundation grants, donations, etc.		
			CARES Act funding	Provided by CARES Act funding	ACL	
Dakota Center for Independent Living	Southwest Main office in Bismarck with a branch office in Dickinson	Adams, Billings, Bowman, Burleigh, Dunn, Emmons, Golden Valley, Grant, Hettinger, Kidder, McLean, Mercer, Morton, Oliver, Sheridan, Sioux, Slope, Stark	Subchapter B with the required 10% state funds & state IL general funds	Administered according to the SPIL with fiscal reviews	DSE and CIL board of directors	
			Subchapter C	Provided from ACL	ACL and CIL board of directors	
			Other state agency funds	Provided to CILs	ACL and CIL board of directors	
			Other public and/or private sources	Developed by the CILs, and may include fee-for-service funds, grants or contracts, corporate and foundation grants, donations, etc.	ACL and CIL board of directors	
			CARES Act Funding	Provided by CARES Act funding	ACL	

In North Dakota, the CIL Network includes all four of the CILs in the state. They include: Independence Center for Independent Living, Options Resource Center for Independent Living, Freedom Resource Center, and Dakota Center for Independent Living. All the CILs are SPIL signatories. The CILs each submit their PPRs to ACL.

Please refer to the map below to see a pictorial of the CILs and the areas that are covered by each CIL to ensure that all areas of North Dakota have services available.

The four CILs were granted CARES Act funding. The intended use for the remaining CARES Act funds (approximately \$651,315) will be utilized to continue operational activities and expenses related to COVID-19. These may include but not limited to technology, supplies, services, and program activities as allowable under the CARES Act, and other expenses pertaining to COVID-19 as allowable.

CARES ACT Funding Received by Center

CIL Name	Dakota Center for Independent Living, Inc.
CIL Service Area (list of counties)	Adams, Billings, Bowman, Burleigh, Dunn, Emmons, Golden Valley, Grant, Hettinger, Kidder, McLean, Mercer, Morton, Oliver, Sheridan, Sioux, Slope, Stark
Intended Use of Funding (Brief Summary)	This money will be used for the purchase PPE for staff and consumers, life sustaining food for consumers, consumer needs for technology, chrome books and laptops for loan to our consumers, training for staff in regards to technology, staff wages for COVID related activities, website and virtual ADA conference.
Funding Amount Received	\$447,674

CIL Name	Options Interstate Resource Center for Independent Living
CIL Service Area (list of counties)	Wells, Eddy, Foster, Benson, Ramsey, Towner, Cavalier, Pembina, Walsh, Nelson, Grand Forks, Griggs, Steele, and Trail
Intended Use of Funding (Brief Summary)	<p>Monitor the adverse effects of COVID-19 to insure the CIL is reactive to need.</p> <p>Increase the number of venues where consumers can develop peer interactions through social media, technological solutions, and phone connectivity.</p> <p>Increase the knowledge of our service area members of the services and state of the art scientific knowledge involved in the fight against COVID-19.</p> <p>Garner and distribute those supplies shown to assist in reducing or monitoring the spread of COVID-19 among people with disabilities who are unable to afford or have no access to such.</p> <p>Identify and assist people with disabilities out of institutional care and from entering institutional care, a location which is shown to have the highest ratio of deaths related to COVID-19.</p>
Funding Amount Received	\$145,591

CIL Name	Independence, Inc.
CIL Service Area (list of counties)	Benson, Cavalier, Eddy, Foster, Grand Forks, Griggs, Nelson Pembina, Ramsey, Steele, Towner, Traill, Walsh, Wells
Intended Use of Funding (Brief Summary)	The intended use for the CARES Act funds will be utilized to continue operational activities and expenses related to COVID-19. These may include but not limited to technology, supplies, services, and program activities as allowable under the CARES Act, and other expenses pertaining to COVID-19 as allowable.

Funding Amount Received	\$139,479
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CIL Name	Freedom Resource Center
CIL Service Area (list of counties)	Barnes, Cass, Dickey, LaMoure, Logan, McIntosh, Ransom, Richland, Sargent, Stutsman
Intended Use of Funding (Brief Summary)	The intended use for the CARES Act funds will be utilized to continue operational activities and expenses related to COVID-19. These may include but not limited to technology, supplies, services, and program activities as allowable under the CARES Act, and other expenses pertaining to COVID-19 as allowable.
Funding Amount Received	\$208,551



3.2 Expansion and Adjustment of Network

Plan and priorities for use of funds, by funding source, including Subchapter B funds, Subchapter C funds, State funds, and other funds, whether current, increased, or one-

time funding and methodology for distribution of funds. Use of funds to build capacity of existing Centers, establish new Centers, and/or increase statewideness of Network.

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

North Dakota's Statewide Independent Living Council developed a Network Plan shortly after SILCs were established in the law. The network was based on a balance between population and geographic area, while taking into consideration the location of the largest cities within the state. At the time the Network Plan was developed there were three Part C funded Centers which were located in the three most populous cities of Bismarck, Grand Forks, and Fargo (oldest to newest). During this time, the majority of North Dakota's population resided in the eastern part of the state with population projections predicting the population in this area would increase at a faster rate than in the western region of the state. As a result, the eastern Centers (Options IRCIL and Freedom Resource Center) were designed with less geographic area. There were two territorial lines drawn, one east west and the other north south, to delineate the Network which would be covered by the four North Dakota Centers. Considering the low population of North Dakota this was thought the best use of funds without a disproportionate amount of money being spend on administrative expenses caused by an increased number of Centers to serve the same area.

Once the North Dakota IL Network was fully developed, North Dakota was moved from a development period to one of building capacity for the four Centers to serve the population found within each quadrant. To accomplish this, Part B funds which were historically used to fund equipment was evaluated to determine the impact to the population of people with disabilities and determined it would be better spent to fund center staff to provide independent living services. Additionally, State funds were advocated for and appropriated by the legislature so Centers could increase their services. Part C funds, State IL funds and a portion of Part B funds (taking into consideration the amount of Part B funds needed for administrative and SILC expenses) are all used to fund independent living services within North Dakota. The four Centers are all Part C funded Centers, North Dakota has no centers which do not receive Part C funds.

In 2012 sixteen states were surveyed to garner their input on the processes they used to develop their minimum funding levels. This was then compared to North Dakota's computational methods to determine if North Dakota's analysis was congruent to the others. Through this analysis it was found all the states had similar methodologies to develop minimum funding amounts, the most common denominators used to make the estimations being a cost analysis for basic staffing, office space rental, equipment acquisition, mileage, and supplies. This was then used to adjust North Dakota's base funding amount and adjusted again, with the last estimate set at \$650,000.

Though adjustments to the minimum funding levels have been computed to conform to regulatory requirements in order for this number to be included within the SPIL it has no relevance to North Dakota's Network. North Dakota's network plan was completed in 1995 with the addition of Independence, Incorporated. With the addition of this Center the entire geographic area of North Dakota was covered by one of four Centers. Independence, Inc. was established as the fourth Center for Independent Living serving Northwestern North Dakota. There are no plans to initiate another Center as all areas of the state are covered. The only contingency for a new Center would be, as explained within this section, in the event that an existing Center becomes unable to fulfill its obligations due to negative and unresolved findings, dissolving of a center, or change of mission.

The four Centers within North Dakota are funded at levels higher than the minimum funding level of \$650,000. Since fulfillment of the Network and with each Center's budget surpassing minimum funding levels North Dakota's SILC saw a need to look to the future and estimate the total cost to serve all people with disabilities within the State. To that end a methodology which was endorsed by various states, SILCs, and RSA at the time was completed in 2015 resulting in a base funding level for each Center in North Dakota. This method used the population of people with disabilities, geographic area, how rural a center is and estimated number of other disability providers found within each service area to come up with an estimate; see spread sheet below).

North Dakota's Centers for Independent Living						
Center	Part C	Part B/State	Total	Funding Formula Est.*	Differential	
Dakota	\$463,140.00	\$111,573.00	\$574,713.00	\$2,749,464.00	20.90%	
Freedom	\$215,756.00	\$323,145.00	\$538,901.00	\$1,671,991.00	32.23%	
Independence	\$144,297.00	\$388,014.00	\$532,311.00	\$1,694,511.00	31.41%	
Options	\$150,621.00	\$383,597.00	\$534,218.00	\$2,224,231.00	24.02%	
* "North Dakota State Funding Formula" Yeager, Et al., 05-15						
Commisioned by North Dakota State Independent Living Council & North Dakota's Centers for Independent Living						

Increases of funding designated to provide independent living services, excluding one-time funding, would be dispersed using a step up process where any permanent increases of funds which are designed to fund Independent Living Centers would be allocated to fund the lowest funded center/s to a level which is received by the next lowest funded center/s until all four Centers have equal funding. The second goal would be to provide equal increases to all four centers until each center reaches their respective funding level as defined though the Funding Formula Analysis. Since each Center, based on population of people with disabilities and geographic area, have different funding levels each will be increased equally until each reaches their defined level. Once all have reached their respective funding level as defined in the Formula increases will be based on inflationary factors. The Funding Formula will be updated to insure it is reflective of population changes as defined through the latest Census data.

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

All independent living funds whether Part B or State funds designated for Independent Living Services will be dispersed in the same manner as non-COLA (cost of living adjustments) Part C funds except in the case of one-time funding. In instances where one-time funding is appropriated each Center will receive equal allocations unless a Center declines the funding.

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

It would be the goal of the SILC that no center would be more adversely affected than another if funding is cut. If any cuts in Part B and/or State funds are received these cuts shall be leveled equally across all four Centers to minimize an adverse impact to any Centers in North Dakota.

If a CIL had experienced a decrease in funding due to reductions in Part C funds, the first priority is to use additional Part C funds allocated to the state, above COLA levels, to bring each CIL as close as possible to their highest Part C funded level prior to the cut. To accomplish this each Part C Center will be increased proportionately by the same percentage as the increase would allow until each have reached their previous highest funded Part C funded level.

The SILCs first goal is for each of four Centers located within the state to be equally funded until each reach the funding goal as defined through the Funding Formula Analysis completed by Yeager and Associates.

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

It is the utmost priority to maintain services to individuals with disabilities residing in North Dakota. In the event of a Center's insolvency, noncompliance to the Standards and Assurances, a Board of Directors changing the mission of a center to such a degree that it no longer falls within the perimeters of the Regulations defining Title VII or any other reason resulting in a Center not able to provide independent living services the following procedures to maintain a quadrant's coverage will be implemented.

A sub-committee would be organized consisting of representatives of the DSE, SILC, and at least one center director to identify the reason for the loss of a Center, whether mismanagement, loss of stable funding, change of mission, or other circumstance that may have a bearing on whether the Center can go through re-organization or a new center has to be started. This would be accomplished through face to face meetings with any past board members or staff. The sub-committee would itemize the equipment and supplies compared to inventory lists, purchase orders, and possible liens against the Center. Delineate those articles purchased with Federal and/or State funds to insure its availability for the future Center.

A timeline would then be developed and plan to ensure that the quadrant in question will maintain service coverage utilizing State, Part B and/or Part C funds. Develop a mechanism where the closest existing Center can provide temporary services utilizing the remaining Part B and State funds until a new Center is able to deliver services. If no Center can assist, advertise the availability of Part B and State funds for the delivery of State Independent Living Services (SILS) to the area in question. If it is determined that a new Center has to be started encourage those persons with disabilities within the area to initiate the processes needed to make application for funds following in accordance with the SPIL and in collaboration with the ACL, SILC, and DSE.

This instance would be the only instance for developing a new center and would include the following priorities. Inform the ACL of the Center's circumstances affecting the change of illegibility for further funding and the SILC's plan to implement a Continuance of Coverage Plan. Discuss what regulations are applicable to the remaining Part C funds and the future Part C funds that would be allocated to serve the designated territory served by the Center in question.

North Dakota State Funding Formula for Centers for Independent Living Regions: Adapted from Indiana's Funding Allocation Model Formula, (C. J. McKinney and Patricia Yeager, 2015).

Section 4: Designated State Entity

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

4.1 DSE Responsibilities

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

4.2 Grant Process & Distribution of Funds

Grant processes, policies, and procedures to be followed by the DSE in the awarding of grants of Subchapter B funds to the four Centers for Independent Living in North Dakota. This will be followed per the SPIL and supported by the DSE. Due to the type of contracts to the four CILs, The ND Department of Human Services (DHS) requires all four CILs to submit a line item budget that must be approved by the DSE prior to the grant being awarded delineating how they are going to be spending the funds. If amendments are needed, they must provide written detailed line item and justification of deviation of funds (2CFR Part 200 200.308). This is then reviewed by the DSE and sent back to the CIL of approval or rejection and kept on file. The scope of their work which includes their core services is also included and reviewed with the budget and incorporated into their contracts. Quarterly reports are reviewed and based on the objectives and indicators in the SPIL and negotiated between the CILs and IL program manager. The performance and compliance of the grantees are reviewed through quarterly reports by the DSE and the SILC (includes objective indicators from the SPIL) as well as each of their 704 reports yearly. Grantee will collect and provide data to the DSE, as requested, in the SPIL and in performance measures described in Grantor's Strategic plan. The funding awards for the CILs are based on the previous year's funding and adjustment to funds as directed in the SPIL (Section 3.2). If unallocated funds are identified during a fiscal year, they will be distributed the following year.

4.3 Oversight Process for Subchapter B Funds

The oversight process to be followed by the DSE.

The DSE contract with the CILs contain the requirement to comply with all applicable fiscal requirements included in 2 CFR § 200.

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 the 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 2 CFR § 200 and accounting requirements.

Record-Keeping:

North Dakota Vocational Rehabilitation 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.

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

Reporting:

The DSE 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 ensure that generally accepted accounting principles are practiced and that the requests for reimbursements properly reflect the business transactions of the organization. The DSE 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.

- 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.

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.

4.4 Administration and Staffing

Administrative and staffing support provided by the DSE.

The Independent Living Program Administrator/SILC liaison, who works with the SILC and the CILs, the DSE continues to provide administrative support to the SILC. This person works directly with the Chair of the SILC and committee chairs as requested. This service allows the Chair and SILC committees to conduct business with minimal problems.

Additional administrative support services include:

- Coordinates arrangements for SILC and committee meeting sites
- Notifies members of dates and times 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 as needed
- Assistance from the fiscal liaison in planning the SILC and SPIL budgets
- Provides quarterly fiscal updates on spending activity for the past quarter

A DSE employee has been assigned by the DSE Administrator to provide assistance to the SILC (assistance with budget monitoring, assistance with distributing meeting minutes and other reports, and so on). The SILC Chairperson provides assignment and supervision of the employee, with the input of the collective Council. If the SILC determines that the staff is unable or unwilling to provide assistance to the SILC, the SILC would then inform the DVR Administrator and would request resolution or another staff be assigned to provide assistance to the SILC. If the DVR Administrator is unable or unwilling to assign another DVR staff, the SILC may decide to choose a new DSE.

4.5 State Imposed Requirements

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

We have no state-imposed requirements.

4.6 722 vs. 723 State

Check one:

722 (if checked, with move to Section 5)

723 (if checked, will move to Section 4.4)

4.7 723 States

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

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

Section 5: Statewide Independent Living Council (SILC)

5.1 Establishment of SILC

How the SILC is established, and SILC autonomy is assured.

The 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.

Autonomy is assured through an intergovernmental agreement that was developed to formalize the SILC's relationship with DHS and the VR program. The agreement

outlines the use of office space and services to support the partnership and protect the independence of the SILC.

5.2 Resource Plan

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

The ND SILC is not retaining any of the Part B fund, including match, for administrative costs. ND SILC does not have any staff. The DSE provides administrative services at no cost to the SILC.

The Resource Plan will consist of the following funding source:

- \$38,543 per year contributed by VR Basic Support 110 Funds which covers the following functions:
 - Salaries & fringe benefits for SILC members
 - Travel for SILC members to quarterly SILC meetings
 - Professional Development for conferences and membership dues
 - Professional Service Fees for interpreter fees

Process used to develop the Resource Plan.

The funds that are contributed by VR Basic Support 110 are outlined in the 2020 VR State Plan.

1. ***Council Operations***

- Honorariums for members who are employed and 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 the State Plan for Independent Living.

3. ***Funding***

- Related expenses for budget priority meetings with the designated state unit and related government entities.

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

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

RESOURCE PLAN

	FFY 2021	FFY 2022	FFY 2023
COUNCIL OPERATIONS	\$38,043	\$38,043	\$37,543
SPIL DEVELOPMENT	-	-	\$500
DUES	\$500	\$500	\$500
TOTAL	\$38,543	\$38,543	\$38,543

5.3 Maintenance of SILC

How State will maintain SILC over the course of the SPIL.

The ND SILC has chosen not to hire staff. The SILC members in North Dakota are appointed by the Governor. Prior to the appointments the SILC liaison is in contact with the Governor's office to assist with making appropriate recommendations that adhere to the SILC composition.

The SILC has a spreadsheet of the council to make sure that there is statewide representation. The spreadsheet serves for multiple data resources such as term, dates of terms, position on the council, voting or non-voting member, etc.

Vacancies are filled either through SILC recruitment efforts or as individuals apply on their own. The SILC notifies members that need to reapply six months before so there is not a lapse. At the quarterly SILC meetings upcoming vacancies are discussed so recruiting efforts can begin.

The SILC's bylaws align with the federal requirements for member composition.

Section 6: Legal Basis and Certifications

6.1 Designated State Entity (DSE)

The state entity/agency designated to receive and distribute funding, as directed by the SPIL, under Title VII, Subchapter B of the Act is North Dakota Vocational Rehabilitation. Authorized representative of the DSE Robyn Throlson Title Acting Director.

6.2 Statewide Independent Living Council (SILC)

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.

6.3 Centers for Independent Living (CILs)

The Centers for Independent Living (CILs) eligible to sign the SPIL, a minimum of 51% whom must sign prior to submission, are:

Dakota Center for Independent Living
Independence Resource Center for Independent Living
Freedom Resource Center for Independent Living
Options Interstate Resource Center for Independent Living

6.4 Authorizations

6.4.a. The SILC is authorized to submit the SPIL to the Independent Living Administration, Administration on Community Living. Yes (Yes/No)

6.4.b. The SILC and CILs may legally carryout each provision of the SPIL. Yes (Yes/No)

6.4.c. State/DSE operation and administration of the program is authorized by the SPIL. Yes (Yes/No)

Section 7: DSE Assurances

Robyn Throlson, Acting Director acting on behalf of the DSE, North Dakota Division of Vocational Rehabilitation located at 1000 E. Divide Ave, Bismarck, ND 58503, (701) 323-8950, rthrolson@nd.gov 45 CFR 1329.11 assures that:

- 7.1. The DSE acknowledges its role on behalf of the State, as the fiscal intermediary to receive, account for, and disburse funds received by the State to support Independent Living Services in the State based on the plan;
- 7.2. The DSE will assure that the agency keeps appropriate records, in accordance with federal and state law, and provides access to records by the federal funding agency upon request;
- 7.3. The DSE will not retain more than 5 percent of the funds received by the State for any fiscal year under Subchapter B for administrative expenses;¹
- 7.4. The DSE assures that the SILC is established as an autonomous entity within the State as required in *45 CFR 1329.14*;
- 7.5. The DSE will not interfere with the business or operations of the SILC that include but are not limited to:
 1. Expenditure of federal funds
 2. Meeting schedules and agendas
 3. SILC board business
 4. Voting actions of the SILC board
 5. Personnel actions
 6. Allowable travel

7. Trainings

- 7.6. The DSE will abide by SILC determination of whether the SILC want to utilize DSE staff:
 - 1. If the SILC informs the DSE that the SILC wants to utilize DSE staff, the DSE assures that management of such staff with regard to activities and functions performed for the SILC is the sole responsibility of the SILC in accordance with Sec. 705(e)(3) of the Act (Sec. 705(e)(3), 29 U.S.C.796d(e)(3)).
- 7.7. The DSE will fully cooperate with the SILC in the nomination and appointment process for the SILC in the State;
- 7.8. The DSE shall make timely and prompt payments to Subchapter B funded SILCs and CILs:
 - 1. When the reimbursement method is used, the DSE must make a payment within 30 calendar days after receipt of the billing, unless the agency or pass-through entity reasonably believes the request to be improper;
 - 2. When necessary, the DSE will advance payments to Subchapter B funded SILCs and CILs to cover its estimated disbursement needs for an initial period generally geared to the mutually agreed upon disbursing cycle; and
 - 3. The DSE will accept requests for advance payments and reimbursements at least monthly when electronic fund transfers are not used, and as often as necessary when electronic fund transfers are used, in accordance with the provisions of the Electronic Fund Transfer Act (15 U.S.C. 1693-1693r).

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

Robyn Throlson, Acting Director for Vocational Rehabilitation

Name and Title of DSE director/authorized representative

Signature

Date

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

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

8.1 Assurances

Brittney Hogan acting on behalf of the SILC, North Dakota Statewide Independent Living Council located at 111 12th St. E., Fargo, ND 58078; (701) 818-2129; beeter08@yahoo.com *CFR 1329.14* assures that:

- (1) The SILC regularly (not less than annually) provides the appointing authority recommendations for eligible appointments;
- (2) The SILC is composed of the requisite members set forth in the Act;¹
- (3) The SILC terms of appointment adhere to the Act;¹
- (4) The SILC is not established as an entity within a State agency in accordance with 45 CFR Sec. 1329.14(b);
- (5) The SILC will make the determination of whether it wants to utilize DSE staff to carry out the functions of the SILC;
 - a. The SILC must inform the DSE if it chooses to utilize DSE staff;
 - b. The SILC assumes management and responsibility of such staff with regard to activities and functions performed for the SILC in accordance with the Act.¹
- (6) The SILC shall ensure all program activities are accessible to people with disabilities;
- (7) The State Plan shall provide assurances that the designated State entity, any other agency, office, or entity of the State will not interfere with operations of the SILC, except as provided by law and regulation and;
- (8) The SILC actively consults with unserved and underserved populations in urban and rural areas that include, indigenous populations as appropriate for State Plan development as described in Sec. 713(b)(7) the Act regarding Authorized Uses of Funds.¹

8.2 Indicators of Minimum Compliance

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

(a) STATE INDEPENDENT LIVING COUNCIL INDICATORS. –

- (1) SILC written policies and procedures must include:
 - a. A method for recruiting members, reviewing applications, and regularly providing recommendations for eligible appointments to the appointing authority;

- b. A method for identifying and resolving actual or potential disputes and conflicts of interest that are in compliance with State and federal law;
 - c. A process to hold public meetings and meet regularly as prescribed in 45 CFR 1329.15(a)(3);
 - d. A process and timelines for advance notice to the public of SILC meetings in compliance with State and federal law and 45 CFR 1329.15(a)(3);
 - e. A process and timeline for advance notice to the public for SILC “Executive Session” meetings, that are closed to the public, that follow applicable federal and State laws;
 - i. “Executive Session” meetings should be rare and only take place to discuss confidential SILC issues such as but not limited to staffing.
 - ii. Agendas for “Executive Session” meetings must be made available to the public, although personal identifiable information regarding SILC staff shall not be included;
 - f. A process and timelines for the public to request reasonable accommodations to participate during a public Council meeting;
 - g. A method for developing, seeking and incorporating public input into, monitoring, reviewing and evaluating implementation of the State Plan as required in 45 CFR 1329.17; and
 - h. A process to verify centers for independent living are eligible to sign the State Plan in compliance with 45 CFR 1329.17(d)(2)(iii).
- (2) The SILC maintains regular communication with the appointing authority to ensure efficiency and timeliness of the appointment process.
- (3) The SILC maintains individual training plans for members that adhere to the SILC Training and Technical Assistance Center’s SILC training curriculum.
- (4) The SILC receives public input into the development of the State Plan for Independent Living in accordance with 45 CFR 1329.17(f) ensuring:
- a. Adequate documentation of the State Plan development process, including but not limited to, a written process setting forth how input will be gathered from the state’s centers for independent living and individuals with disabilities throughout the state, and the process for how the information collected is considered.
 - b. All meetings regarding State Plan development and review are open to the public and provides advance notice of such meetings in accordance with existing State and federal laws and 45 CFR 1329.17(f)(2)(i)-(ii);
 - c. Meetings seeking public input regarding the State Plan provides advance notice of such meetings in accordance with existing State and federal laws, and 45 CFR 1329.17(f)(2)(i);
 - d. Public meeting locations, where public input is being taken, are accessible to all people with disabilities, including, but not limited to:

- i. proximity to public transportation,
 - ii. physical accessibility, and
 - iii. effective communication and accommodations that include auxiliary aids and services, necessary to make the meeting accessible to all people with disabilities.
 - e. Materials available electronically must be 508 compliant and, upon request, available in alternative and accessible format including other commonly spoken languages.
- (5) The SILC monitors, reviews and evaluates the State Plan in accordance with 45 CFR 1329.15(a)(2) ensuring:
 - a. Timely identification of revisions needed due to any material change in State law, state organization, policy or agency operations that affect the administration of the State Plan approved by the Administration for Community Living.
- (6) The SILC State Plan resource plan includes:
 - a. Sufficient funds received from:
 - i. Title VII, Subchapter B funds;
 - 1. If the resource plan includes Title VII, Subchapter B funds, the State Plan provides justification of the percentage of Subchapter B funds to be used if the percentage exceeds 30 percent of Title VII, Subchapter B funds received by the State;
 - ii. Funds for innovation and expansion activities under Sec. 101(a)(18) of the Act, 29 U.S.C. Sec. 721(a)(18), as applicable;
 - iii. Other public and private sources.
 - b. The funds needed to support:
 - i. Staff/personnel;
 - ii. Operating expenses;
 - iii. Council compensation and expenses;
 - iv. Meeting expenses including meeting space, alternate formats, interpreters, and other accommodations;
 - v. Resources to attend and/or secure training and conferences for staff and council members and;
 - vi. Other costs as appropriate.

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

Brittney Hogan

Name of SILC chairperson

Signature

Date

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

Section 9: Signatures

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

The effective date of this SPIL is October 1, 2020

SIGNATURE OF SILC CHAIRPERSON

DATE

Brittney Hogan

NAME OF SILC CHAIRPERSON

Dakota Center for Independent Living

NAME OF CENTER FOR INDEPENDENT LIVING (CIL)

SIGNATURE OF CIL DIRECTOR

DATE

Royce Schultze

NAME OF CIL DIRECTOR

Freedom Resource Center for Independent Living

NAME OF CENTER FOR INDEPENDENT LIVING (CIL)

SIGNATURE OF CIL DIRECTOR

DATE

Angie Bosch

NAME OF CIL DIRECTOR

Independence Resource Center for Independent Living

NAME OF CENTER FOR INDEPENDENT LIVING (CIL)

SIGNATURE OF CIL DIRECTOR

DATE

Scott Burlingame

NAME OF CIL DIRECTOR

Options Interstate Resource Center for Independent Living

NAME OF CENTER FOR INDEPENDENT LIVING (CIL)

SIGNATURE OF CIL DIRECTOR

DATE

Randy Sorensen

NAME OF CIL DIRECTOR

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