

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

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

PART B - INDEPENDENT LIVING SERVICES

Part C - Centers for Independent Living

State: Nebraska

**FISCAL YEARS: 2024-2027
Effective Date: October 1, 2024**

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Executive Summary

Section 1: Goals, Objectives and Activities

1.1 Mission:

Mission of the Independent Living Network and the SPIL.

Nebraskans with disabilities have opportunities to receive IL services

People with disabilities in Nebraska will receive the following from the IL programs and services:

- Information and referral on Independent Living
- Independent Living skills training
- Self and systems advocacy
- Peer Mentoring
- Transition
 - Nursing Home
 - Youth with disabilities to higher education, the workforce and/or the community
 - Diversion of people with disabilities from Nursing Homes
- Expanded IL service delivery in underserved areas of the state

Direct services utilizing Part B dollars:

1. Part B dollars are utilized to provide IL services by the Centers for Independent Living throughout entire state of Nebraska.
2. Part B Funds are also utilized to support NESILC to carry out the mandate stated in Section 705 of The Rehab Act as amended by WIOA of 2014.
3. Part B Funds will be utilized to provide information to individuals with disabilities in accessible format for the individual.
4. Part B Funds will also be used to improve the sustainability and capacity for NESILC and the CILs, this includes the funding for the DSE.

1.2 Goals:

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

1. People with all disabilities in Nebraska will have access to Independent Living supports and services necessary for individuals to have the choice to achieve

and maintain Independent Living; these include but are not limited to the core services as set forth in the Rehabilitation Act as amended by WIOA of 2014

2. People in Nebraska have access to information on Independent Living services, philosophies and the history of the disability movement.
3. To improve the capacity and build sustainability for the Centers for Independent Living, NESILC and Independent Living services and supports

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.

1. People with all disabilities in Nebraska will have access to Independent Living supports and services necessary for individuals to have the choice to achieve and maintain Independent Living; these include but are not limited to the core services as set forth in the Rehabilitation Act as amended by WIOA 2014.
 - a. NESILC & CILs will meet to discuss options to obtain additional funding from the state to reach underserved populations in Nebraska. NESILC & CILs will meet at least quarterly.
 - i. Representatives of NESILC & CILs will meet to develop strategy/plan to obtain additional funding to expand the IL services.
 - ii. CILs will provide leadership in all phases of the plan.
 - iii. NESILC will operate in supportive role in this process.
 - b. NESILC and CILs will identify and develop a strategy to address the gaps and barriers to the provision of IL services
 - i. Improve on the Needs Assessment to include questions about satisfaction with IL services and to identify the gaps and barriers to the provision of IL services. This will be completed by June 30, 2021.
 - ii. The IL Needs Assessment will be promoted by the CILs and at various state conferences or community forums held at CILs other partner agencies such as VR, ATP, and CAP. The dissemination of the needs assessment will begin by January 1,
 - iii. The CILs and NESILC will develop a plan to redistribute funds in any amount if any member of the IL Network receiving Part B dollars fails to comply with expectations. NESILC & CILs will discuss this annually.
 - c. NESILC and CILs will be active participants in activities/events/discussions that may impact Independent Living

- i. Initiate or Identify Legislative, Rules, Regulation, administrative meetings/hearing or forums that may impact Independent Living. NESILC & CILs will meet after Bill introduction and as needed for regulatory changes.
 - ii. Disseminate information and develop testimony or provide public comment for relevant meetings or hearings that will impact IL to include but not limited to email, social media, newsletters and web pages.
 - iii. The SILC will have 5-10-minute reports from all non-voting members at each quarterly meeting regarding activities over past 3 months. Each CIL will make presentation to NESILC annually on function and services for areas that utilize Part B funding.
 - iv. Identify items such as Disaster Preparedness and relief or others that the CILs and other organizations involved with disability community to increase collaborative activities.
2. People in Nebraska have access to information on Independent Living services, philosophies and the history of the disability movement.
 - a. NESILC and CILs will collaborate with the DSE and other IL Partners to explore the use of technology to provide information that focus on the five core services, and any other subjects that we deem appropriate. This will include activities such as webinars or other types of electronic communication.
 - i. Formulate steering committee of interested organization to determine how this might evolve.
 - ii. The first webinar will be completed by July 30, 2021.
 - b. NESILC will attend disability events by other organizations to disseminate printed material in accessible formats as needed about Independent Living in Nebraska annually.
 - i. NESILC members will attend conferences by other organizations to have exhibitor's booth and possible presentation. This includes but not limited to Statewide Brain Injury Conference, Statewide Behavioral Health Conference and People First of Nebraska. This will be done annually.
 - ii. The NESILC will have an Outreach Committee that will work to promote IL services and collaborate with other like-minded agencies
3. To improve the capacity and build sustainability for the Centers for Independent Living, NESILC and Independent Living services and supports
 - a. Centers for Independent Living will have the necessary resources to provide staff training and to provide the mandated services as well as new and developing disability needs.

- b. NESILC will participate in activities to strengthen the organization
 - i. NESILC will receive 30% of the Part B Allocation and will change organizational structure to strengthen NESILC.
 - ii. Conduct at least one fundraising activity annually
 - iii. NESILC will allow designated members (in compliance with NESILC bylaws) to attend the annual conference of a National organization to gain knowledge on Independent Living and receive training. Consideration will be based upon availability of resources
- c. The NESILC will collaborate with the CILs to develop and implement advocacy efforts that promote the IL philosophy and results in meaningful and measurable systemic change
 - i. The NESILC will collaborate with state agencies to advocate for advancements in Independent Living Services and Supports in Nebraska; NESILC will support CILs in their advocacy efforts
- d. The Designated State Entity (DSE) for NESILC will be The Department of Administrative Services. The DSE is the agency that acts on behalf of the State for Title VII Part B programs.
 - i. The responsibilities include:
 - a. Receive, account for, and disburse funds received by the State based on the SPIL;
 - b. Provide administrative support services for a program under part B,
 - c. Keep such records and afford such access to such records as the Administrator (of ACL) finds to be necessary with respect to the programs;
 - d. Submit such additional information or provide such assurances as the Administrator may require with respect to the programs; and
 - e. Retain not more than 5% of the funds received by the State for any fiscal year under Part B for the performance of the services outlined in paragraphs (1) through (4).¹
- e. NESILC and CILs will support youth (16-29) to enhance their leadership skills
 - i. NESILC will work with CILs and VR Youth Leadership Council to expand voting membership for at least 1 youth (16-29). NESILC will expand voting membership for 2 youth members by December, 2026.
 - ii. Investigate and Support Youth Leadership Opportunities to include sponsorship to the APRIL Conference for at least one

¹ See Section 704 (c) of the Rehabilitation Act, as amended, 29 U.S.C. 796c(c).

youth that is a resident of Nebraska. NESILC & CILs will develop application & criteria for attendance by July, 2025

4. Timeline for the SPIL goals is the lifetime of the SPIL unless otherwise specified.

1.4 Evaluation

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

The SPIL Evaluation plan should describe how the SILC will:

- measure consumer satisfaction– this is separate from the CIL’s responsibility to measure consumer satisfaction but may be done in collaboration with the CILs*
- incorporate information from the CILs’ most recently available Program Performance Reports*
- include a method to gather input from stakeholders (targeted populations, CILs, etc.) and the public*
- identify the means by which progress will be measured*
- identify timelines by which progress will be measured*

Currently NESILC, both CILs and DSE attend the quarterly SILC meeting we will allocate part of meeting time to evaluate SPIL. In addition, we will review consumer satisfaction surveys that are distributed by CILS annually. CILs develop couple of standard questions that are same for consumer satisfaction surveys for LHD and IR. We will review completed PPR documents and review needs assessment. PPR will be submitted to ACL for Part C funds. PPR will be provided to DSE for Part B funds.

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): 2024-2025					
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 (including state match)	116,020		109,832.27 IR 109,832.27 LHD		18435
Chapter 1, Subchapter C			168,471-IR 804,343 LHD		
Other Federal Funds					
Sec. 101(a)(18) of the Act (Innovation and Expansion)					
Social Security Reimbursement					
Other					
Non-Federal Funds					
State Funds					
Other					

Fiscal Year(s): 2025-2026					
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	116,020		109,832.27 IR		18435

(including state match)			109,832.27 LHD		
Chapter 1, Subchapter C			168471-IR 804,343 LHD		
Other Federal Funds					
Sec. 101(a)(18) of the Act (Innovation and Expansion)					
Social Security Reimbursement					
Other					
Non-Federal Funds					
State Funds					
Other					
Fiscal Year(s): 2026-2027					
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 (including state match)	116,020		109,832.27 IR 109,832.27 LHD		18435
Chapter 1, Subchapter C			168,471-IR 804,343		
Other Federal Funds					
Sec. 101(a)(18) of the Act (Innovation and Expansion)					
Social Security Reimbursement					
Other					

Non-Federal Funds					
State Funds					
Other					

Description of financial plan narrative.

The SILC will receive 30% of Part B funds for an estimated amount of \$104,418 plus 30% of state match of \$11,602 for a total of \$116,020.00. Out of the SILC Budget, up to \$5,000.00 will be allocated for youth attending APRIL Conference.

The DSE will receive 5% of the part B dollars for an estimated amount of \$17,403 plus 5% of the state match for \$1,933.67 to total \$19,336.67.

Each of the Centers for Independent Living will receive 32.5% of the Part B funds plus State Match for an estimated total of total of 109,832.27.

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.

Independent living services	Provided using Subchapter B	Provided using other funds	Provided by
<p>Core Independent Living Services, as required:</p> <ul style="list-style-type: none"> – Information and referral – IL skills training – Peer counseling – Individual and systems advocacy – Transition services including: <ul style="list-style-type: none"> ▪ Transition from nursing homes & other institutions ▪ Diversion from institutions ▪ Transition of youth (who were eligible for an IEP) to post-secondary life 	X	X	Independence Rising- (IR) League of Human Dignity- (LHD)
Counseling services, including psychological, psychotherapeutic, and related services			
<p>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)</p> <p>Note: CILs are not allowed to own or operate housing.</p>		X	LHD
Mobility training			
Services and training for individuals with cognitive and sensory disabilities, including life skills training, and interpreter and reader services		X	LHD
Personal assistance services, including attendant care and the training of personnel providing such services		X	LHD
Surveys, directories and other activities to identify appropriate housing, recreation, accessible transportation and other support services			

Independent living services	Provided using Subchapter B	Provided using other funds	Provided by
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	LHD
Education and training necessary for living in the community and participating in community activities		X	LHD
Supported living Note: CILs are not allowed to own or operate housing.		X	LHD
Transportation, including referral and assistance for such transportation		X	LHD
Physical rehabilitation			
Therapeutic treatment			
Provision of needed prostheses and other appliances and devices			
Assistive Technology (which includes what was formerly known as “rehabilitation technology” and includes prostheses)		X	LHD
Individual and group social and recreational services			
Training to develop skills specifically designed for youths who are individuals with significant disabilities to promote self-awareness and esteem, develop advocacy and self-empowerment skills, and explore career options		X	LHD
Services for children with significant disabilities		X	LHD
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	LHD

Independent living services	Provided using Subchapter B	Provided using other funds	Provided by
Appropriate preventive services to decrease the need of individuals with significant disabilities for similar services in the future		X	LHD
Community awareness programs to enhance the understanding and integration into society of individuals with disabilities		X	LHD
Other necessary services not inconsistent with the Act			

2.2 Outreach

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

Due to the very rural nature of the State of Nebraska and because we are a minimum funded state, outreach efforts will be statewide. The CILs are now serving counties that were previously unserved. They are utilizing part B funds for that. However, funding continues to be inadequate. Nebraska CILs serve all 93 counties, but realistically the services are limited by resources. Underserved populations will be defined by the CIL that is serving a particular area of the state. The definition will be based on categories such as racial, ethnic, disadvantaged, limited English proficiency and geographic areas or other factors that may limit services.

CILs participate in events, to include but not limited to minority health fairs. CILs will provide report at the SILC quarterly meetings twice a year to discuss of gaps & barriers they are seeing. CILs will develop their own outreach plan a plan to address these gaps. NESILC & CILs will develop a statewide outreach plan as a result of discussions

In addition, the things being currently done include but are not limited to:

- Regular visit to three different American Indian reservations.
- Coordination with local Hispanic, Vietnamese, Eastern European and Middle Eastern organizations.

- The LHD has key information translated into Hispanic, Asian, Middle Eastern, and Eastern European and provides interpreters for those who experience English as a Second Language (ESL) and require an interpreter
- We will continue efforts to reach out to the Native Americans, Hispanics and other minority groups with disabilities while looking for opportunities to expand our efforts.
- The League of Human Dignity provides Medicaid Waiver Assessments for individuals statewide. They have opened offices throughout the state to aid in this process.
- If an individual's needs include core services the individual is referred to the Centers for Independent Living that serves the area of the state they live in.
- Center for Independent Living of Central Nebraska dba Independence Rising has established itinerant office locations in Western Nebraska which has ensured continued access to services in underserved parts of the State. This means staff meets with consumer at whatever location is convenient.
- The SILC continues to look for qualified members to round out our membership. The application is posted on our website in both WORD and pdf documents. The website is routinely updated to share information. SILC is scheduled to have displays at various State/local conferences/events. The display includes brochures from the member organizations that make up the IL Network.
- The State Independent Living Service partners will collaborate to redirect the allocation of Part B funds as deemed necessary and appropriate to achieve the objectives
- NESILC and the CILs will collaborate to maintain, expand, and sustain a comprehensive network of independent living services to address the needs of Nebraskans experiencing disabilities with emphasis on those currently underserved.

2.3 Coordination

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

- Facilitate the expansion of the IL Network by including all IL Partners in all communication regarding IL in Nebraska. Disseminating information about IL to disability organizations and all stakeholders in the state.
- Meet with representatives of the IL Network at least once every quarter of the year.
- Include CIL representatives on SILC committees.

- Consult with IL Network on potential joint position statements on IL issues in Nebraska.
- Routine sharing of information with the IL Network, including the SRC.
- NESILC will collaborate and coordinate with the CILs to avoid any duplication of services while promoting consumer choice.
- NESILC will maintain a representative to the SRC and collaborate on activities as appropriate.
- NESILC will seek to appoint a representative to Traumatic Brain Injury Advisory Council
- NESILC will seek to appoint a representative to the DD Council and will have a representative from the DD Council.
- NESILC will look for opportunities to partner with other disability organizations to include but not limited to the DD Planning Council, People First of Nebraska, Brain Injury Alliance.
- Representation of the DSE on the SILC.
- Representation from state disability agencies plus reports of activities at quarterly NESILC meetings plus annual presentations about the services they provide.
- Either the NESILC Executive Director, NESILC staff member and/or a NESILC Board member will attend and participate in the Nebraska Consortium of Citizens with Disabilities (NCCD) with other statewide disability organizations, including the Brain Injury Association, Mental Health Association, to promote Independent Living.
- NESILC & CILS will monitor the Olmstead Plan & share information on changes to Medicaid and other programs/services related to Independent Living.
- Stay current on transition/diversion Programs for Home and Community Based Services to ensure that IL remains viable.

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., Part B, Part C, state funds, etc.) and oversight entity.

League of Human Dignity, Inc.

1. Lincoln Center for Independent Living
1701 P Street
Lincoln, NE 68508
2. Norfolk Center for Independent Living
400 Elm Avenue
Norfolk, NE 68701
3. Omaha Center for Independent Living
5513 Center Street
Omaha, NE 68106

Part C:

Antelope, Boone, Burt, Butler, Cass, Cedar, Colfax, Cuming , Dakota, Dixon, Dodge, Douglas, Fillmore, Gage, Jefferson, Knox, Lancaster, Madison, Nance, Pierce, Platte, Polk, Saline, Sarpy, Saunders, Seward, Stanton, Thayer, Thurston, Washington, Wayne, York

Part B:

Boyd, Brown, Cherry, Holt, Johnson, Keya Paha, Nemaha, Otoe, Pawnee, Richardson, Rock, Keya Paha

Oversight Process

For Part C Funded counties, the League of Human Dignity, Inc. submits PPR to ACL and NESILC.

For Part B funded counties, the League of Human Dignity, Inc will submit finalized PPR to NESILC.

Current Sources of Funding

- Nebraska CILs
- Part C
- Part B
- Lincoln/Lancaster County Joint Budget Committee
- ADRC
- Program service fees, including equipment loan & rental, assistive technology sales & service
- Donations
- Medicaid Waiver
- United Way funding

Independence Rising Offices

Gering Location

At Northfield

2350 Five Rocks Road

PO Box 308

Gering, NE 69341

(308)633-7025

Fax (308)633-7026

North Platte Location

109 East 2nd, Suite 3

North Platte, NE 69101

(308)221-6073

Fax (308)382-9255

Gothenburg Location

910 Ave F

Gothenburg, NE 69138

(308)537-4332

(308)537-4335

Kearney Location
St. James Square
124 W. 25th Street, Suite #B4
Kearney, NE 68849
(308)708-2392
(308)224-8275 (Respite)

Grand Island
3335 West Capital Ave
Grand Island, NE 68803
(308)382-9255 P/F

Independence Rising Counties

Central Western Counties (Part C)

Adams, Arthur, Blaine, Buffalo, Chase, Clay, Custer, Dawson, Dundy, Franklin, Frontier, Furnas, Garfield, Grant, Greeley, Gosper, Hall, Hamilton, Harlan, Hayes, Hitchcock, Hooker, Howard, Kearney, Keith, Lincoln, Logan, Loup, Merrick, McPherson, Nuckolls, Perkins, Phelps, Red Willow, Sherman, Thomas, Valley, Webster, Wheeler

Panhandle Counties (Part B)

Banner, Box Butte, Cheyenne, Dawes, Deuel, Garden, Morrill, Scotts Bluff, Sheridan, Sioux, Kimball

Oversight Process

For Part C Funded Counties Independence Rising submits PPR to ACL

For Part B funded counties Independence Rising Inc will submit finalized PPR to NESILC.

Current Sources of Funding

Part C

Part B

DHHS CFS Contract

State of Nebraska Youth Probation

Medicaid Funding

Peer Link

Family Peer Support

State of Nebraska Behavioral Health

ARC Census Project
Independence Rising Equipment Loan Program
Independence at Home Chore Services Program

3.2 Expansion and Adjustment of Network

Plan and priorities for use of funds, by funding source, including Part B funds, Part 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 statewide impact of Network.

Part B Funding is distributed in the following manner:

- 30% to SILC
- 32.5% to each Center for Independent Living
- 5% for DSE

Part C distribution will be if there is new additional federal Part C Independent Living allocation made available, which is not a cost of living increase for existing Part C funded centers or a one-time funding, Nebraska SILC, CILs and DSE have determined that once both CILs have reached \$500,000.00 minimum funding level in federal funds would be divided between the Part C centers in a formula of 50%/50% between the two CILs.

Currently there are no additional funding sources, but the network will develop a plan and implement it to change that. When we are successful additional funds will be utilized to increase the capacity of the Centers for Independent Living to provide core services. All 93 counties in Nebraska are currently able to be served by a Center for Independent Living but it limits the availability of resources.

If there is any increase in Part B funding it will be divided by percentages outlined in the beginning of Section 3.2.

The IL Network has determined that since all 93 counties are being served there is no need for an additional CIL.

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

If for any reason a CIL closes the NESILC and remaining CILs will redistribute funds as needed. NESILC and the CILs will determine process for fund redistribution. If this should happen ACL will need to put out request for new CIL.

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

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

There is no plan for a new center at present and any additional funds will be distributed utilizing current percentages used in splitting Part B Funds. Part C distribution will be 50/50 if there is new additional federal Part C Independent Living allocation made available, which is not a cost of living increase for existing Part C funded centers.

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

One-time funding will be determined by CILs, SILC and DSE

Section 4: Designated State Entity

The Department of Administrative Services is designated to receive, administer, and account for funds made available to the state under Title VII, Chapter 1, Part 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 Part B, and a program under Part 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 Part 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 Part B funds.

4.3 **Oversight Process for Part B Funds**

The oversight process to be followed by the DSE.

- No control of Part C Funds
- The recipient of Subchapter B funds are required to submit to the DSE the following prior to release of Part C funds:
 - Intent to Form a Subcontract
 - Sub-recipient Agreement
 - Budget for the fiscal year
 - Budget Justification
 - Scope of Work

The DSE then releases requested funds as outlined in the SPIL and based on receipts, funds requested.

4.4 **Administration and Staffing**

Administrative and staffing support provided by the DSE.

No staffing from DSE

4.5 **State Imposed Requirements**

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

- State law, regulation, rule, or policy relating to the DSE's administration or operation of IL programs
- Rule or policy implementing any Federal law, regulation, or guideline that is beyond what would be required to comply with 45 CFR 1329
- That limits, expands, or alters requirements for the SPIL

No state imposed requirements

4.6 **722 vs. 723 State**

Check one:

722 (if checked, will move to Section 5)

723 (if checked, will move to Section 4.7)

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 NESILC was established to meet the requirements of the Rehabilitation Act, Title VII, Chapter 1 as amended by WIOA in 2014 DSE will be DAS. Given the fact that the NESILC was created by federal legislation, a state law or governor's executive order was not used to establish a SILC in Nebraska. The NESILC operates as an autonomous, free standing entity whose members were appointed by the Governor's designee. It developed bylaws consistent with mandates of Title VII. In order to more clearly define its rather nebulous legal standing, the Nebraska SILC incorporated and became a 501(c)3 in 2003. Although the NESILC is now a non-profit corporation, the members continue to be appointed by the Designee, based upon all the requirements in the federal Rehabilitation Act. The Nebraska SILC is an independent entity with respect to the DSE and all other state agencies. The DSE and various state agencies have a non-voting membership on the SILC and they provide quarterly reports on their activities. All decisions are made by the voting membership

5.2 SILC 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 SILC receives 30% of the Part B allocation for Nebraska. Part B is the main funding source for the NESILC. We do receive a small amount in donations. SILC will support CILs in developing plan to obtain state funding or other funding sources. Also, SILC holds at least one community fundraising event per year.

Process used to develop the Resource Plan.

For the resource Plan in the SPIL the CILs, SILC and DSE meet to determine how Part B funds will be utilized. Staff, Treasurer and voting members decide on Resource Plan for SILC based on previous years expense plus slight COLA.

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

The executive director or their designee will submit forms to have funds reimbursed by the DSE when reimbursement forms are submitted.

Justification if more than 30% of the Part B appropriation is to be used for the SILC Resource Plan.

Does not receive more than 30%.

5.3 Maintenance of SILC

How State will maintain SILC over the course of the SPIL.¹

The IL Regulations §1329.12 (b)(2) says the DSE has to “allocate necessary and sufficient resources needed by the SILC to fulfill its statutory duties and authorities”. DSE will report to the SILC on the allocation of the Part B funds as part of the SILC monitoring the implementation of the SPIL . . .

If a situation occurs that CILs do not expend all the awarded Subchapter B funds, the decision on the use of those funds in the next fiscal year is made by the SILC & CILs. If retained by SILC, it will be used toward activities to benefit the IL Network.

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, Part B of the Act is Department of Administrative Services

Authorized representative of the DSE Philip Olsen Title Administrator.

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 Nebraska 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:

Independence Rising
League of Human Dignity, Inc.

6.4 Authorizations

6.4.a. The SILC is authorized to submit the SPIL to the Independent Living Administration, Administration for 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

Philip Olsen acting on behalf of the DSE Department of Administrative Services located at 1526K St. Lincoln, NE 402-471-0600 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 Part 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 wants to utilize DSE staff:
1. If the SILC informs the DSE that the SILC wants to utilize DSE staff, the DSE assures that management of such staff with regard to activities and functions performed for the SILC is the sole responsibility of the SILC in accordance with Sec. 705(e)(3) of the Act (Sec. 705(e)(3), 29 U.S.C.796d(e)(3)).
- 7.7. The DSE will fully cooperate with the SILC in the nomination and appointment process for the SILC in the State;
- 7.8. The DSE shall make timely and prompt payments to Part 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 Part 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

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

Kathy Kay acting on behalf of the SILC Nebraska Statewide Independent Living Council located at PO Box 160, Ponca, NE 712-635-3749) 45

CFR 1329.14 assures that:

- (1) The SILC regularly (not less than annually) provides the appointing authority recommendations for eligible appointments;
- (2) The SILC is composed of the requisite members set forth in the Act;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

Section 8.2 Indicators of Minimum Compliance

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

State Entities (DSE) as permitted by Section 704(c)(4) of the Rehabilitation Act (29 U.S.C. Sec. 796c(c)(4)), as amended.

(a) STATEWIDE 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, Part B funds;
 - 1. If the resource plan includes Title VII, Part B funds, the State Plan provides justification of the percentage of Part B funds to be used if the percentage exceeds 30 percent of Title VII, Part 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:

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 _____ (name of SILC) _____ and the centers
for independent living in the state agree with and intend to fully implement this SPIL's
content. These signatures also indicate that this SPIL is complete and ready for
submission to the Independent Living Administration, Administration for Community
Living, U.S. Department of Health and Human Services.

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

SIGNATURE OF SILC CHAIRPERSON DATE

NAME OF SILC CHAIRPERSON

NAME OF CENTER FOR INDEPENDENT LIVING (CIL)

SIGNATURE OF CIL DIRECTOR DATE

NAME OF CIL DIRECTOR

NAME OF CENTER FOR INDEPENDENT LIVING (CIL)

SIGNATURE OF CIL DIRECTOR

DATE

NAME OF CIL DIRECTOR

NAME OF CENTER FOR INDEPENDENT LIVING (CIL)

SIGNATURE OF CIL DIRECTOR

DATE

NAME OF CIL DIRECTOR

NAME OF CENTER FOR INDEPENDENT LIVING (CIL)

SIGNATURE OF CIL DIRECTOR

DATE

NAME OF CIL DIRECTOR
(INSERT ADDITIONAL CILS AS NEEDED)

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