

SPIIL Instrument - 2013 Extension

State: **WV**

**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 **2017-2019**

Effective Date: October 1, **2016**

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PART I: Assurances

State of: West Virginia

Section 1: Legal Basis and Certifications

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

Section 2: SPIL Development

- 2.1 The plan shall be reviewed and revised not less than once every three years, to ensure the existence of appropriate planning, financial support and coordination, and other assistance to appropriately address, on a statewide and comprehensive basis, the needs in the State for:
- The provision of State independent living services;
 - The development and support of a statewide network of centers for independent living; and
 - Working relationships between programs providing independent living services and independent living centers, the vocational rehabilitation program established under title I, and other programs providing services for individuals with disabilities. *34 CFR 364.20(f)*
- 2.2 The DSU and SILC conduct public meetings to provide all segments of the public, including interested groups, organizations and individuals, an opportunity to comment on the State plan prior to its submission to the Commissioner and on any revisions to the approved State plan. *34 CFR 364.20(g)(1)*
- 2.3 The DSU and SILC establish and maintain a written description of procedures for conducting public meetings in accordance with the following requirements. The DSU and SILC shall provide:
- appropriate and sufficient notice of the public meetings (that is, at least 30 days prior to the public meeting through various media available to the general public, such as newspapers and public service announcements, and through specific contacts with appropriate constituency groups and organizations identified by the DSU and SILC);
 - reasonable accommodation to individuals with disabilities who rely on alternative modes of communication in the conduct of the public meetings, including providing sign language interpreters and audio-loops; and
 - public meeting notices, written material provided prior to or at the public meetings, and the approved State plan in accessible formats for individuals who rely on alternative modes of communication. *34 CFR 364.20(g)(2)*
- 2.4 At the public meetings to develop the State plan, the DSU and SILC identify those provisions in the SPIL that are State-imposed requirements beyond what would be required to comply with the regulations in 34 CFR parts 364, 365, 366, and 367. *34 CFR 364.20(h)*
- 2.5 The DSU will seek to incorporate into, and describe in, the State plan any new methods or approaches for the provision of IL services to older individuals who are blind that are developed under a project funded under chapter 2 of title VII of the Act and that the DSU determines to be effective. *34 CFR 364.28*
- 2.6 The DSU and SILC actively consult, as appropriate, in the development of the State plan with the director of the Client Assistance Program (CAP) authorized under section 112 of the Act. *34 CFR 364.20(e)*

Section 3: Independent Living Services

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

Section 4: Eligibility

- 4.1 Any individual with a significant disability, as defined in 34 CFR 364.4(b), is eligible for IL services under the SILS and CIL programs authorized under chapter 1 of title VII of the Act. Any individual may seek information about IL services under these programs and request referral to other services and programs for individuals with significant disabilities, as appropriate. The determination of an individual's eligibility for IL services under the SILS and CIL programs meets the requirements of 34 CFR 364.51. *34 CFR 364.40(a), (b) and (c)*
- 4.2 Service providers apply eligibility requirements without regard to age, color, creed, gender, national origin, race, religion or type of significant disability of the individual applying for IL services. *34 CFR 364.41(a)*
- 4.3 Service providers do not impose any State or local residence requirement that excludes any individual who is present in the State and who is otherwise eligible for IL services from receiving IL services. *34 CFR 364.41(b)*

Section 5: Staffing Requirements

- 5.1 Service provider staff includes personnel who are specialists in the development and provision of IL services and in the development and support of centers. *34 CFR 364.23(a)*
- 5.2 To the maximum extent feasible, a service provider makes available personnel able to communicate:

- with individuals with significant disabilities who rely on alternative modes of communication, such as manual communication, nonverbal communication devices, Braille or audio tapes, and who apply for or receive IL services under title VII of the Act; and
- in the native languages of individuals with significant disabilities whose English proficiency is limited and who apply for or receive IL services under title VII of the Act. *34 CFR 364.23(b)*

5.3 Service providers establish and maintain a program of staff development for all classes of positions involved in providing IL services and, if appropriate, in administering the CIL program. The staff development programs emphasize improving the skills of staff directly responsible for the provision of IL services, including knowledge of and practice in the IL philosophy. *34 CFR 364.24*

5.4 All recipients of financial assistance under parts B and C of chapter 1 of title VII of the Act will take affirmative action to employ and advance in employment qualified individuals with significant disabilities on the same terms and conditions required with respect to the employment of individuals with disabilities under section 503 of the Act. *34 CFR 364.31*

Section 6: Service Provider Requirements

Describe how the following service provider requirements will be met:

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

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

6.2 Fiscal Control and Fund Accounting – 34 CFR 364.34

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

fiscal and accounting requirements.

6.3 Recordkeeping, Access and Reporting – 34 CFR 364.35; 34 CFR 364.36; 34 CFR 364.37

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

6.4 Eligibility – 34 CFR 364.40; 34 CFR 364.41

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

6.5 Independent Living Plans – 34 CFR 364.43(c)

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

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

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

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

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

Section 7: Recordkeeping, Access and Reporting

7.1 In addition to complying with applicable EDGAR recordkeeping requirements, all recipients of financial assistance under parts B and C of chapter 1 of title VII of the Act will maintain records that fully disclose and document:

- the amount and disposition by the recipient of that financial assistance;
- The total cost of the project or undertaking in connection with which the financial assistance is given or used;
- the amount of that portion of the cost of the project or undertaking supplied by other sources;
- compliance with the requirements of chapter 1 of title VII of the Act and Part 364 of the regulations; and
- other information that the Commissioner determines to be appropriate to facilitate an effective audit. *34 CFR 364.35(a) and (b)*

7.2 With respect to the records that are required by 34 CFR 364.35, all recipients of financial assistance under parts B and C of chapter 1 of title VII of the Act will submit reports that the Commissioner determines to be appropriate. *34 CFR 364.36*

7.3 All recipients of financial assistance under parts B and C of chapter 1 of title VII of the Act will provide access to the Commissioner and the Comptroller General, or any of their duly authorized representatives, to the records listed in 34 CFR 364.37 for the purpose of conducting audits, examinations, and compliance reviews. *34 CFR 364.37*

Section 8: Protection, Use, and Release of Personal Information

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

Section 9: Signatures

After having carefully reviewed all of the assurances in sections 1 - 8 of this SPIL, the undersigned hereby affirm that the State of West Virginia is in compliance and will remain in compliance with the aforementioned assurances during 2017-2019 (specify the three-year period covered by this SPIL).

The effective date of this SPIL is October 1, 2016 (year)

SIGNATURE OF SILC CHAIRPERSON

DATE

Cathy Hutchinson, Chairperson, WVSILC

NAME OF SILC CHAIRPERSON

SIGNATURE OF DSU DIRECTOR

DATE

Donna Ashworth, Director, WVDRS

NAME AND TITLE OF DSU DIRECTOR

NA

SIGNATURE OF DIRECTOR OF THE SEPARATE
STATE AGENCY FOR INDIVIDUALS WHO ARE BLIND

DATE

NA

NAME AND TITLE OF THE DIRECTOR OF THE
SEPARATE STATE AGENCY FOR INDIVIDUALS WHO ARE BLIND

CIL Directors' Signatures

Signature of CIL Director

Date

Jan Derry, Executive Director, Northern WV CIL

Name and Title of CIL Director

Signature of CIL Director

Date

Larry Paxton, Executive Director, Appalachian CIL

Name and Title of CIL Director

Signature of CIL Director

Date

Anne O. Weeks, President/CEO, Mountain State CILs

Name and Title of CIL Director

Part II: Narrative

Section 1: Goals, Objectives and Activities

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

Describe the overall goals and mission of the State's IL programs and services. The SPIL must address the goals and mission of both the SILS and the CIL programs, including those of the State agency for individuals who are blind as they relate to the parts of the SPIL administered by that agency.

Mission: To ensure all West Virginians are valued equally and participate fully in their communities.

Goal 1: People with disabilities have access to the community-based resources they need.

Goal 2: Independent Living services are available and operate efficiently.

Goal 3: All West Virginians with disabilities have access to a CIL.

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

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

Goal(s) from Section 1.1	Objective to be achieved	Time frame start date	Time frame end date
Goal 1: People with disabilities have access to the community-based resources they need.	1.1. People with disabilities outside a CIL’s service area will have access to independent living information and IL skills training on line through the virtual center for independent living. Action Steps: 1.1.a. Update virtual CIL website as needed to keep information current. 1.1.b. Research and attempt to locate additional funding to put more IL skills training modules on line. 1.1.c. Conduct outreach activities to	10-1-16	9-30-19

	<p>increase awareness of the virtual CIL.</p> <p>1.1.d. Research the possibility of developing a mobile app to improve access to the virtual CIL by use of smart phones.</p>		
Goal 1: People with disabilities have access to the community-based resources they need.	<p>1.2 People with disabilities will receive the necessary services to remain in their homes, thus diverting them from an institution.</p> <p>Action Steps:</p> <p>1.2.a. Provide assistive devices and equipment as needed to ensure a safe and improved quality of life.</p> <p>1.2.b. Provide rehabilitation technology services as needed to ensure they remain in their home.</p>	10-1-16	9-30-19
Goal 1: People with disabilities have access to the community-based resources they need.	<p>1.3 CIL's will continue to provide necessary core services within their service areas and serve people with disabilities who are not covered by Part C service area based on capacity.</p> <p>Action Steps:</p> <p>1.3.a. Provide the five core services in accordance with the standards and assurance for centers for independent living.</p>	10-1-16	9-30-19
Goal 1: People with disabilities have access to the community-based resources they need.	<p>1.4 People with disabilities will be served by (and/or bring attention to disservice of) Medicaid Waiver services.</p> <p>Action Steps:</p> <p>1.4.a. Provide advocacy services to assist consumers in filing complaints related to waiver services.</p>	10-1-16	9-30-19
Goal 1: People with disabilities have access to the community-based resources they need.	<p>1.5 Consumers have access to the health care they need.</p> <p>Action Steps:</p> <p>1.5.a. CIL directors will develop a partnership with the WV Bureau of Senior Services (BoSS), who operates the state health insurance assistance program (SHIP).</p> <p>1.5.b. CILs will develop an MOU with</p>	2-1-16	1-31-17

	<p>BoSS to establish partnership, roles.</p> <p>1.5.c. Training provided to WV CILs and implementation strategies for how to educate consumers on the resources available through SHIP, how they can be accessed.</p> <p>1.5.d. Facilitate the referral process to SHIP.</p> <p>1.5.e. Develop collaborations with other entities (such as the Family to Family program at WVU CED) to facilitate access to health care.</p>		
Goal 1: People with disabilities have access to the community-based resources they need.	<p>1.6 Emergency managers and people with disabilities have access to disability specific planning and preparedness resources.</p> <p>Action Steps:</p> <p>1.6.a. Identify and/or implement on-line materials for use by CILs and other service providers to educate people with disabilities about being prepared for a disaster including:</p> <ul style="list-style-type: none"> • Information for consumers that increases their knowledge regarding access to available services during and after a disaster. • Information on preparedness, such as how to make an emergency plan and kit. 	10-1-16	3-31-17
Goal 1: People with disabilities have access to the community-based resources they need.	<p>1.7 Disability inclusion is built into all aspects of emergency management.</p> <p>Action Steps:</p> <p>1.7.a. Establish partnerships with state emergency management.</p> <p>1.7.b. Locate and/or develop an annual work plan collaborating with federal, state, and local agencies to coordinate, educate, and conduct outreach efforts regarding emergency preparedness.</p> <p>1.7.c. Become actively involved in state emergency management and provide disability related input.</p>	10-1-16	9-30-19

	1.7.d. Promote independent living participation in local and state emergency planning, preparedness, and response activities.		
Goal 1: People with disabilities have access to the community-based resources they need.	1.8. The WV CILs and the SILC will collaborate to conduct systems advocacy to improve availability of and access to community-based resources for people with disabilities. Action Steps: 1.8.a. Expand collaborations with other programs and entities. 1.8.b. WV CILs will address issues specific to their local service areas. 1.8.c. WV CILs and SILC will coordinate state level advocacy efforts.		
Goal 2: Independent Living services are available and operate efficiently.	2.1 Efficient independent living services will be available to people with disabilities. Action Steps: 2.1.a. CIL directors will meet quarterly to provide each other with technical assistance, develop advocacy strategies, assist with problem solving and share resources for efficient service delivery. 2.1.b. Conduct an annual policy review to ensure consistent implementation of the community living services program, updating as needed to address new evolving unmet needs and issues. 2.1.c. Conduct an annual consumer satisfaction survey of all CIL consumers. 2.1.d. Maintain www.mtstcil.org database of resources available. 2.1.e. Individual CIL's will obtain consumer feedback periodically and/or following events and activities.	10-1-16	9-30-19
Goal 2: Independent Living	2.2 WV CILs are in compliance with the Federal Standards and Assurances	10-1-16	9-30-19

<p>services are available and operate efficiently.</p>	<p>for centers for independent living, and WVCIL peer reviews indicate compliance with all 6 of the Standards and Assurances in Section 725 of the Act.</p> <p>Action Steps: 2.2.a. WVCIL will use CILSuite to track compliance with the Standards & Assurances. 2.2.b. WVCIL will use CILSuite to measure implementation of work plans.</p>		
<p>Goal 3: All West Virginians with disabilities have access to a CIL.</p>	<p>3.1 All CILs in West Virginia meet the Federal Standards and Assurances for centers for independent living.</p> <p>Action Steps: 3.1.a. Establish criteria for eligibility to receive CIL funding (tie back to WV IL Act and WIOA Regulations). 3.1.b. CIL directors will participate in WVSILC initiative to establish a monitoring tool that defines a CIL that is not funded by HHS or Part B funds. 3.1.c. Research how other states are establishing criteria for a CIL not funded by Title VII, Part B or Title VII, Part C.</p>	<p>10-1-16</p> <p>10-1-16</p> <p>10-1-16</p>	<p>9-30-19</p> <p>9-30-17</p> <p>9-30-17</p>
<p>Goal 3: All West Virginians with disabilities have access to a CIL.</p>	<p>3.2 A Center for Independent Living line item is established in the State budget by September 30, 2019, to provide funding for the operation of CILs that comply with the West Virginia Independent Living Act and with the Standards and Assurances in Sec. 725 of the Act.</p> <p>Action Steps: 3.2.a. WV CILs, WVSILC, & partners will work with governor's staff to establish centers for independent living line item. 3.2.b. WV CILs, WVSILC, & partners will work with budget/Finance committee staff to establish independent living line item. 3.2.c. WV CILs will organize</p>	<p>10-1-16</p>	<p>9-30-19</p>

	<p>consumers' advocacy efforts for increased funding for Independent Living Services.</p> <p>3.2.d. WV CILs and WVSILC will Collaborate with FSN (Fair Shake Network) on advocacy efforts.</p>		
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1.2B Describe the steps planned regarding outreach to populations in the State that are unserved or underserved by programs under title VII, including minority groups and urban and rural populations. This section of the SPIL must:

- Identify the populations to be designated for targeted outreach efforts;

West Virginia has a very small minority population with 3.5% Black or African American, 0.2% Native Americans, 0.7% Asian, Hispanic 1.3% and only 1.3% of residents being foreign born, and 2.3% speak a language other than English at home (according to the US Census Bureau 2011 census fact sheet for West Virginia). Statistics reported by the WV CILs indicate that individuals served in FY 2014 included individuals from minority groups totaling 10.3% across all CILs compared to the 5.7% overall minority population of our state. The minority populations served by the CLSP program should continue to be proportional to the total minority population of the State.

The CILs' work plans outreach efforts include: presentations; agency contacts; website; public service announcements; exhibits/displays; and other outreach opportunities as they arise. Minority populations, including LGBTQ, will be targeted by outreach efforts.

The DSE and the CIL's are all now mandated to make transitioning students from school to work a priority; it is one prong of the fifth core service for CILs. WVDRS counselors are to work with students while they are in school and the CILs are to work with students once they have left post-secondary education. It is imperative that WVDRS and WVCIL work together to coordinate services for students, to ensure they receive necessary services and are well prepared for finding employment or going on to post-secondary education opportunities.

WVDRS counselors should be encouraged to seek out CIL staff in order to develop a joint transitioning plan for students ready to leave high school. Training opportunities may be available at the CILs that can assist the WVDRS counselors with a student's preparation for employment.

Each CIL will develop outreach materials designed specifically to target individuals who meet the definition of youth, as defined by WIOA. The WV CILs will identify entities, stake holders and venues that will provide access to eligible youth or service providers that serve youth such as Special Education Departments, youth transition fairs, Technical Schools, etc. for outreach activities.

CIL's are also mandated to provide transition and diversion services for individuals who are living in institutional settings wishing to live in an integrated community based setting of their choice. Currently, funded transition services are provided through the state's Money Follows the Person "Take Me Home, WV" program. The MFP program utilizes the services of one Area Agency on Aging and a large Medicaid case management agency to provide navigation services.

It is the goal of the CILs to be viewed as a valued partner in the state's MFP sustainability plan, as well as to provide services to those who do not meet the criteria for the MFP program. However, these services must be driven by the CIL's capacity to do so, since the mandate did not include additional funding to provide this additional core service.

The WV CILs will also work with the state Olmstead office to develop materials and strategies for outreach to those who may not be eligible for MFP. Those materials will be disseminated to entities such as Senior Legal Aid, Senior Centers, health fairs, and the nursing home Ombudsmen to ensure their awareness of CIL services and resources. Since the WV CILs current community living services program has the ability to give priority to those transitioning or at risk of institutionalization, those resources, along with Olmstead dollars can be brokered to provide limited financial assistance for home modifications, durable medical goods and assistive technology that may be needed to facilitate successful community living. The WV CILs will continue to look for other resources to assist with the cost of transitioning to a community based home.

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

WV CILs will focus outreach efforts in areas served only by CLSP to increase awareness of availability of services. Efforts will include individual CIL activities as well as joint WVCIL activities. This outreach will include all the counties that are not served by the CILs' Part C grants or the Part B expansion counties. The following counties will be targeted by outreach efforts: Berkeley, Brooke, Calhoun, Fayette, Grant, Greenbrier, Hampshire, Hancock, Hardy, Jackson, Jefferson, Lincoln, Logan, Marshall, Mason, McDowell, Mercer, Mineral, Mingo, Monroe, Morgan, Nicholas, Ohio, Pendleton, Pleasants, Pocahontas, Ritchie, Roane, Summers, Tyler, Webster, Wetzel, Wirt, Wood, and Wyoming.

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

Individuals from minority groups will be targeted by outreach for the Community Living Services Program (CLSP). The CLSP is a highly individualized program and services are provided based on assessment of individual needs. Materials are provided in languages other than English upon request.

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

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

1.3A Financial Plan Tables

Complete the financial plan tables covering years 1, 2 and 3 of this SPIL. For each funding source, provide estimated dollar amounts anticipated for the applicable uses. The financial plan table should include only those funding sources and amounts that are intended to support one or more of the objectives identified in section 1.2 of the SPIL. To the extent possible, the tables and narratives must reflect the applicable financial information from centers for independent living. Refer to the SPIL Instructions for additional information about completing the financial tables and narratives.

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

Year 1

<u>Sources</u>	<u>Approximate Funding Amounts and Uses</u>			
	SILC Resource Plan	IL Services	General CIL Operations	Other SPIL Activities
Title VII Funds				
Chapter 1, Part B		305,350		
Chapter 1, Part C			904,979	
Chapter 2, OIB (only those provided by the OIB grantee to further a SPIL objective)				
Other Federal Funds				
Sec. 101(a)(18) of the Act (Innovation and Expansion)	203,150			
Other				
Non-Federal Funds				
State Funds		500,000		388,698
Other				

Year 2

<u>Sources</u>	<u>Approximate Funding Amounts and Uses</u>			
	SILC Resource Plan	IL Services	General CIL Operations	Other SPIL Activities
Title VII Funds				
Chapter 1, Part B		305,350		
Chapter 1, Part C			904,979	
Chapter 2, OIB (only those provided by the OIB grantee to further a SPIL objective)				
Other Federal Funds				
Sec. 101(a)(18) of the Act (Innovation and Expansion)	203,150			
Other				
Non-Federal Funds				
State Funds		500,000		388,398
Other				

Year 3

<u>Sources</u>	<u>Approximate Funding Amounts and Uses</u>			
	SILC Resource Plan	IL Services	General CIL Operations	Other SPIL Activities
Title VII Funds				
Chapter 1, Part B		305,350		
Chapter 1, Part C			904,979	
Chapter 2, OIB (only those provided by the OIB grantee to further a SPIL objective)				

Other Federal Funds				
Sec. 101(a)(18) of the Act (Innovation and Expansion)	203,150			
Other				
Non-Federal Funds				
State Funds		500,000		388,698
Other				

1.3B Financial Plan Narratives

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

Part B funding will be used to provide independent living services to people with significant disabilities and to support activities in the objectives.

Part C funding will continue to be used to support CIL operations.

1.3B(2) Describe efforts to coordinate Federal and State funding for centers and IL services, including the amounts, sources and purposes of the funding to be coordinated.

The WV CILs and the WVSILC have struggled for years to coordinate the small amount of resources received to meet the needs of the over 410,000 West Virginians with disabilities age 5 and older (23.5% of the general population age 5 and older according to 2000 census figures). The WV CILs serve 20 counties with their Part C grants. There are 35 counties that do not have full access to a CIL. The unmet need far exceeds the available resources. West Virginia currently receives \$305,350 in Title VII, Part B funding plus the 10% state match for a total of \$339,277. This funding will be granted to the WV CILs by the DSE for the provision of independent living services to people with significant disabilities. The state budget includes a line item for independent living services, currently funded at \$500,000 (a portion of which is used for the Part B state match). This funding will be granted to the WV CILs by the DSE to operate the statewide Community Living Services Program, pending allocation by the Legislature.

The Community Living Services Program (CLSP) assists individuals with disabilities to function more independently in their homes and communities.

State and federal funding from this program provide independent living services such as:

- Home Modifications including adding a ramp for wheelchair access to the home, bathroom modifications such as roll in showers and grab bars and other modifications to make a home accessible to a person with a disability.
- Assistive Devices and Equipment including items such as hearing aids and amplified telephones.
- Communication Services including items such as touch screens, speech keyboards and synthesized speech output devices (used with computers) as well as training in equipment use, Braille instruction, and reading services.
- Vehicle Modifications including van conversion to accommodate a wheelchair, wheelchair and scooter lifts, hand controls such as a spinner knob on the steering wheel to allow controlled steering with just one hand and other specialized modifications.
- Durable Medical Equipment such as a shower chair, walker, and related items.

The WV CILs maximize the available funding by coordinating resources for consumers from every conceivable source in an effort to meet their needs. It is not possible to meet all the needs with such limited resources and a waiting list is maintained with priority given to individuals in need of assistance for transition, or those at risk needing diversion, from an institutional setting. An additional \$388,698 in state funds is in a line item, administered by the DSE, for the self-directed Ron Yost Personal Assistance Services Program (a program included in the SPIL) for individuals with disabilities not eligible for such services through Medicaid, pending allocation by the Legislature. Title I, Innovation and Expansion funds in the amount of \$203,150 (a 15% reduction from previous years) will be provided to the WVSILC by the DSE for the SILC resource plan.

Currently, the West Virginia Centers for Independent Living (WV CILs) consists of 3 corporations and 4 CILs. All are direct funded from ACL with Federal funds (from 3 Part C grants) only for the general operation of the CILs. While the Part C funds are individually awarded, WVCIL (the informal association of CILs) works together to coordinate services where feasible, coordinate referrals, sharing case management procedures, data collection, and coordinate efforts for legislative and advocacy activities.

The Community Living Services Program (CLSP) is coordinated among all WVCIL members. They develop joint procedures, share ways to leverage resources, and discuss difficult cases.

1.3B(3) Describe any in-kind resources including plant, equipment or services to be provided in support of the SILC resource plan, IL services, general CIL operations and/or other SPIL objectives.

The DSE occasionally provides surplus furniture and postage for the WVSILC. DSE staff maintains the WVSILC website, with WVSILC providing content, and provides

technical assistance with information technology, communications, and other areas and issues as needed. The DSE liaison to the WVSILC, traditionally responsible for IL issues, meets quarterly with the WVSILC executive director to ensure good communications and to provide technical assistance as needed.

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

Pursuant to Section 705 (c)(d)(e) of the Act and proposed rule 45 CFR Part 1329; the WVSILC does not engage in activities beyond statutory duties, authorities, and responsibilities.

1.4 Compatibility with Chapter 1 of Title VII and the CIL Work Plans – 34 CFR 364.42(c) and (e)

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

The State Plan for Independent Living reflects the beliefs of the WVSILC and the WV CILs in promoting a philosophy of independent living including a philosophy of consumer control, peer support, self-help, self-determination, equal access, and individual and system advocacy to maximize the leadership, empowerment, independence, and productivity of individuals with significant disabilities and to promote and maximize the integration and full inclusion of individuals with significant disabilities into the mainstream of American society.

The SPIL encourages coordination, cooperation, and communication between the WVSILC and WV CILs as well as the DSE (WVDRS). This provides an opportunity to help ensure that all stakeholders are advised of, sensitive to, and responsive to, the needs of individuals with significant disabilities identified by the CILs in their service areas; the plans of the CILs to address those needs; and that the WV CILs operate in a manner consistent with the SPIL. (34 CFR 364.42(c))

A SILC committee, including the CIL directors, will develop indicators for the objectives in the SPIL. This will help ensure the objectives are consistent with and build upon the CILs' work plans.

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

The WV CILs, the WVSILC, and the DSE (WVDRS) are all part of the SPIL planning team. Every effort is made to ensure that all stakeholders have ample opportunities to provide input into the development of the objectives for the SPIL, as well as the other elements of the State Plan. The WV CILs provided leadership in the development of the objectives, action steps, and outcomes for this SPIL. The WVSILC and the WV

CILs consider the CIL work plans, developed by the individual CILs in compliance with section 725(c) (4) of the Act, when developing or revising the SPIL. At the same time, as each CIL develops its work plan for each 704 Report, they include in their work plan the objectives outlined in the current SPIL for which they have responsibility.

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

Describe the steps that will be taken to maximize the cooperation, coordination and working relationships among the SILS program, the SILC, and centers; the DSU, other State agencies represented on the SILC and other councils that address the needs of specific disability populations and issues; and other public and private entities determined to be appropriate by the SILC.

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

The WVSILC, WVDRS, WV CILs, and WVSRC have a strong partnership that includes cooperative strategizing, planning, communication, and coordinated efforts. The WVSILC and WVSRC executive directors attend WVDRS executive management meetings once a month to ensure on-going communication and provide a forum to strategize and discuss problems.

The director of WVDRS provides a report at each WVSILC meeting to share an update on the agency and to provide a forum for questions, expression of concerns, and sharing of information.

The WVSILC executive director has quarterly meetings with the designated DSE WVSILC member to maintain good communication and share pertinent information on a regular basis.

The WVSILC executive director is, and will continue to be, an active member of the West Virginia Olmstead Council which oversees the implementation of the West Virginia Olmstead Plan; the Take Me Home West Virginia (money follows the person) Advisory Council; the ADRC Advisory Council; the No Wrong Door Advisory Council; the Veteran Directed HCBS Advisory Council; and other boards, councils, and organizations that provide an opportunity for coordination and improvement of services and supports for people with disabilities.

In addition to the required seat the WVSILC holds on the WVSRC, the WVSILC has, in its bylaws, provided a voting seat for the WVSRC chairperson, which provides opportunities for communication and collaboration.

The WVSILC, WV CILs, and WVDRS will cooperate and coordinate with any agency, council, or public or private entity when such a relationship is consistent with the SPIL and the Act to ensure persons who have disabilities have access to community-based

resources that promote personal choice and facilitate the achievement of their independent living goals. Through such cooperation and coordination, the WVSILC will advocate for the rights and needs of persons who have disabilities and for policy and system changes which address those needs and promote the independent living philosophy.

In addition, the WVSILC will be an active member of the Fair Shake Network, the National Council on Independent Living, the Association of Programs for Rural Independent Living, and other organizations to improve services and the lives of West Virginians with disabilities.

The WVSILC, WV CILs, and WVDRS will cooperate and coordinate with the Legislature and Congress by providing information and technical assistance upon request from legislators and/or legislative staff.

The WVSILC strives and will continue to strive to ensure representation from state agencies and entities necessary to develop, foster, and maximize working relationships that will benefit efforts to achieve our mission and goals. Current WVSILC membership includes:

- DSE ex-officio, non-voting member
- CIL director chosen by the CIL directors in WV
- SRC voting member
- WV Department of Education, Office of Special Education - ex-officio, non-voting member
- WV Housing Development Fund - ex-officio, non-voting member
- WV Department of Health and Human Resources, Office of Behavioral Health Services - ex-officio, non-voting member
- WV Bureau of Senior Services - ex-officio, non-voting member
- WV Olmstead Coordinator – ex-officio, non-voting member
- WV Association of Rehabilitation Facilities - ex-officio, non-voting member
- One employee of a center for independent living
- One board member of a center for independent living
- One consumer of a center for independent living
- One staff of the state's Money Follows the Person program
- Vice-Chairman of the statewide grassroots advocacy organization
- Two employees of the WV University Center for Excellence in Disabilities
- Three employees of provider agencies
- A director of an Area Agency on Aging
- President of Student Access Advocates group for students with disabilities at WV State University

Additional collaborations will be formed as opportunities arise to effect systems change to improve the lives of people with disabilities.

The WVSILC intends to conduct the following coordination/cooperation activities, with consideration to the new SILC authorities in the Act:

- Collaborate with the CILs and the WV Chamber of Commerce to provide general education on the ADA, Fair Housing, and service animals to businesses.
- Develop materials to increase knowledge and understanding of the public and public servants about disabilities, the rights of people with disabilities, working with people with disabilities, and the benefits of inclusiveness.
- Collaborate with the CILs to create a communication campaign to:
 - improve the visibility of SILC and CILs
 - promote the idea of independence
- Collaborate with the CILs to improve disability resource information available through 211 and on-line resource databases in West Virginia.
- Collaborate with the CILs to educate West Virginia's Congressional delegation and national associations about the impact of, and the need to revise, the current funding formula for Part C funding.

1.6 Coordination of Services – 34 CFR 364.27

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

WVDRS, WV CILs and WVSILC make concerted efforts to use existing programs to gain maximum benefit of Title VII, Chapter I funds. Through consumer and professional liaison interactions with state and local entities (Bureau of Senior Services, Department of Health and Human Resources, Department of Education, Developmental Disabilities Council, Department of Transportation, Veterans Administration, WV Housing Development Fund, and others), information regarding program application and eligibility, scope of services, and policy modifications is shared with the disability community on a regular basis.

The composition of the WVSILC assures a broad, cross representation of these entities, as well as the opportunity to disseminate information/updates as applicable, to the membership.

The DSE is charged with referring interested individuals to appropriate resources that would enhance their independent living capacity, while addressing vocational rehabilitation issues.

The DSE and the CIL's are all now mandated to make transitioning students from school to work a priority; it is one prong of the fifth core service for CILs. WVDRS counselors are to work with students while they are in school and the CILs are to work with students who had an IEP once they have exited secondary education. It is imperative that WVDRS and WVCIL work together to coordinate services for students, to ensure they receive necessary services and are well prepared for finding employment or going on to post-secondary education opportunities.

WVDRS counselors should be encouraged to seek out CIL staff in order to develop a joint transitioning plan for students ready to leave high school. Training opportunities may be available at the CILs that can assist the WVDRS counselors with a student's preparation for employment.

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

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

NA

Section 2: Scope, Extent, and Arrangements of Services

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

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

Table 2.1A: Independent living services	Provided by the DSU (directly)	Provided by the DSU (through contract and/or grant)	Provided by the CILs (Not through DSU contracts/ grants)
Core Independent Living Services, as follows:			
- Information and referral	No	Yes	Yes
- IL skills training	No	Yes	Yes
- Peer counseling	No	Yes	Yes
- Individual and systems advocacy	No	Yes	Yes
Counseling services, including psychological, psychotherapeutic, and related services	No	Yes	Yes
Services related to securing housing or shelter, including services related to community group living, and supportive of the purposes of this Act and of the titles of this Act, and adaptive housing services (including appropriate accommodations to and modifications of any space used to serve, or occupied by, individuals with significant disabilities)	No	Yes	Yes
Rehabilitation technology	No	Yes	Yes
Mobility training	No	Yes	Yes

Table 2.1A: Independent living services	Provided by the DSU (directly)	Provided by the DSU (through contract and/or grant)	Provided by the CILs (Not through DSU contracts/ grants)
Services and training for individuals with cognitive and sensory disabilities, including life skills training, and interpreter and reader services	No	Yes	Yes
Personal assistance services, including attendant care and the training of personnel providing such services	No	Yes	Yes
Surveys, directories and other activities to identify appropriate housing, recreation, accessible transportation and other support services	No	Yes	Yes
Consumer information programs on rehabilitation and IL services available under this Act, especially for minorities and other individuals with disabilities who have traditionally been unserved or underserved by programs under this Act	No	Yes	Yes
Education and training necessary for living in the community and participating in community activities	No	Yes	Yes
Supported living	No	No	No
Transportation, including referral and assistance for such transportation	No	Yes	Yes
Physical rehabilitation	No	No	No
Therapeutic treatment	No	No	No
Provision of needed prostheses and other appliances and devices	No	Yes	No
Individual and group social and recreational services	No	No	Yes
Training to develop skills specifically designed for youths who are individuals with significant disabilities to promote self-awareness and esteem, develop advocacy and self-empowerment skills, and explore career options	No	Yes	Yes
Services for children with significant disabilities	No	Yes	Yes
Services under other Federal, State, or local programs designed to provide resources, training, counseling, or other assistance of substantial benefit in enhancing the independence, productivity, and quality of life of individuals with significant disabilities	No	Yes	Yes

Table 2.1A: Independent living services	Provided by the DSU (directly)	Provided by the DSU (through contract and/or grant)	Provided by the CILs (Not through DSU contracts/ grants)
Appropriate preventive services to decrease the need of individuals with significant disabilities for similar services in the future	No	Yes	Yes
Community awareness programs to enhance the understanding and integration into society of individuals with disabilities	No	Yes	Yes
Other necessary services not inconsistent with the Act	No	Yes	Yes

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

Service priorities include:

- Systems Advocacy to educate legislators and the Governor of the need for funding for non-Part C CIL counties to ensure every West Virginian with a disability has full access to CIL services.

- An Advocacy priority for IL services to people with significant disabilities.

- For the Community Living Services Program, the priority is for services that help an individual remain in their own home such as home modifications, rehabilitation technology, durable medical equipment, adaptive equipment, assistive technology, etc. Services will be on a first come first served basis within the availability of financial resources with an exception of individuals in need of assistance for transition, or those at risk needing diversion, from an institutional setting.

- Recipients of the Ron Yost Personal Assistance Services (RYPAS) program (a state funded PAS program) will be those with severe disabilities, including mental, sensory or physical impairments, or any combination of impairments, who are in need of assistance to live in a living arrangement of their choice in lieu of a more restrictive setting and who are not receiving such services from Medicaid. Priority will be given to those in need of assistance for transition, or those at risk needing diversion, from an institutional setting.

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

- Any consideration of financial need is applied uniformly so that all individuals who are eligible for IL services are treated equally; and

- Written policies and consumer documentation required by 34 CFR 364.59(d) will be kept by the service provider.

Indicate N/A if not applicable.

The CILs are authorized to charge for services offered by the Community Living Services Program based on economic need. WV CILs will develop policies regarding economic need. The CIL will complete an economic need form to determine the extent that a consumer can contribute to their independent living program.

The WV CILs will implement economic need policies uniformly and objectively to ensure that the level of any financial participation required of an individual is equitable and reasonably consistent with that required of other individuals whose available economic resources or other pertinent circumstances are similar.

Consumer's economic need will be reviewed annually to assure that the individual is treated equitably and to document changes in economic resources.

Administrative Adjustment: In exceptional circumstances, the CIL director may approve administrative adjustments from the policies

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

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

All IL services under Title VII, Part B are provided through contracts to the Part C funded centers for independent living to provide IL services to people with significant disabilities. State IL funds are provided through grants to Part C funded CILs to provide IL services through the Community Living Services Program (CLSP).

Determination of eligibility for all IL services lies with the CIL providing services to the individual. All projects provide program and financial reports to the DSE as well as making a presentation at a WVSILC meeting at least annually.

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

The State does not award any funds to a CIL for their general operation, so this section is N/A.

Section 3: Design for the Statewide Network of Centers

3.1 Existing Network – 34 CFR 364.25

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

Three non-profit corporations receive three Part C grants to operate West Virginia's four centers for independent living:

- 1 - Appalachian CIL (SPIL signatory) - Charleston, WV serving Clay, Boone, Kanawha, and Putnam counties

Elk Office Center, Suite C
4710 Chimney Drive
Charleston, WV 25302
(304) 965-0376
<http://www.acilinc.com>

- 2 & 3 - Mountain State CILs (SPIL signatory)
(funded by RSA, through two separate grants, as two separate CILs prior to the 1992 amendments to the Rehab Act when RSA recommended collapsing both into one grant)

- Huntington, WV serving Cabell and Wayne counties
821 Fourth Avenue
Huntington, WV 25701
(304) 525-3325
www.mtstcil.org

- Beckley, WV serving Raleigh County
329 Prince Street
Beckley, WV 25801
(304) 255-0122
www.mtstcil.org

- 4 - Northern West Virginia CIL (SPIL signatory) - Morgantown, WV serving Barbour, Braxton, Doddridge, Gilmer, Harrison, Lewis, Marion, Monongalia, Preston, Randolph, Taylor, Tucker, and Upshur counties

601-603 East Brockway, Suite A & B
Morgantown, WV 26501
(304) 296-6091
and
109 Randolph Avenue
Elkins, WV 26241
(304)636-0143
www.nwvcil.org

The remaining 35 counties do not have access to full CIL services.

A web-based, virtual center for independent living has been developed with availability statewide and on the world wide web.

WVCIL divided up the unserved counties between the four CILs to provide the statewide CLSP and, with some modifications, will use this division of counties for the expansion of other independent living programs.

PART C - Five Core Services Counties:

Barbour, Boone, Braxton, Cabell, Clay, Doddridge, Gilmer, Harrison, Kanawha, Lewis, Marion, Monongalia, Preston, Putnam, Randolph, Raleigh, Taylor, Tucker, Upshur, and Wayne

PART B funding is used for the provision of independent living services through contracts with all four CILs and is occasionally used to provide services to individuals with disabilities in counties not served with Part C funds upon request.

STATE IL FUNDING is used to provide the Community Living Service Program (CLSP) statewide through contracts (with the three non-profits) for all four CILs.

Counties Unserved with exception of CLSP:

Berkeley, Brooke, Calhoun, Fayette, Grant, Greenbrier, Hampshire, Hancock, Hardy, Jackson, Jefferson, Lincoln, Logan, Marshall, Mason, McDowell, Mercer, Mineral, Mingo, Monroe, Morgan, Nicholas, Ohio, Pendleton, Pleasants, Pocahontas, Ritchie, Roane, Summers, Tyler, Webster, Wetzel, Wirt, Wood, and Wyoming.

3.2 Expansion of Network – 34 CFR 364.25

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

The establishment of a statewide network of CILs is a priority of WVSILC, the WV CILs, and the disability community to ensure the availability of CIL services to all West Virginians with disabilities.

Three funding sources currently support the provision of independent living services in the State: Title VII, Part C; Title VII, Part B; and state independent living funds. The following design for a statewide network of CILs is addressed by funding source and flexibility is planned as changes/increases in these funding sources occur.

A minimum funding level of \$450,000 in operating funds is established for Part C funding.

Priorities for the utilization of new Title VII, Part C funding for West Virginia are:

Priority 1.

Increase Title VII, Part C funding for the current centers for independent living meeting the Federal standards and indicators for CILs to achieve the established minimum funding level in order to sustain current operations, given the increased costs of operating since the CILs were originally funded and established in the early 1980s and the fact that none of the CILs have ever received an increase. New Part C funds shall be distributed commiserate with the percentages listed below, to increase the CIL Part C grants by the following amounts (until the identified increase amount and established minimum funding level are achieved):

- Appalachian CIL – currently \$194,203 – increase by \$255,797 to reach \$450,000 (21.4593% of all new Part C funding available until the established minimum level is reached)
- Mountain State CILs – currently \$490,578 (to operate 2 CILs) – increase by \$409,422 to reach \$450,000 per CIL (54.2087% of new Part C funding available until the established minimum funding level is reached)
- Northern WV CIL – currently \$220,198 – increase by \$229,802 to reach \$450,000 (24.3318% of new Part C funding available until the minimum funding level is reached)

This will require \$895,021 additional Part C funds.

Priorities for establishing new CILs, accounting for the unreasonable size of the Northern West Virginia CIL's service area and allowing NWVCIL to spin off counties for new CILs, are:

Priority 2.

Provide funding for NWVCIL to expand the branch office in Elkins to become a full CIL to serve the following counties (spinning counties off from the current NWVCIL service area): Randolph, Tucker, Lewis, Upshur, Barbour, Gilmer, and Braxton counties. This will require an additional \$450,000 in Part C funds.

Priority 3.

Establish a new CIL to serve Hancock, Brooke, Ohio, and Marshall counties. This will require an additional \$450,000 in Part C funds.

Priority 4.

Establish a new CIL to serve Doddridge, Harrison, and Lewis counties (carving these counties out of the NWVCIL Morgantown and NWVCIL Elkins service areas). This will require an additional \$450,000 in Part C funds.

Priority 5.

Establish a new CIL to serve Gilmer, Braxton, and Webster counties (carving these counties out of the NWVCIL Morgantown and NWVCIL Elkins service areas). This will require an additional \$450,000 in Part C funds.

Priority 6.

Appalachian CIL will pick up Nicholas County to add to the existing service area of Kanawha, Putnam, Boone, and Clay counties.

Mountain State CIL will pick up Lincoln and Fayette counties to add to the existing service areas:

Huntington counties – Cabell and Wayne counties - adding Lincoln County
Beckley counties – Raleigh County – adding Fayette County

Priority 7.

Additional new CILs to be added, as new Part C funding is appropriated, with priorities based on input from public meetings, for the following service areas:

- Pocahontas, Greenbrier, Monroe, Summers, and Mercer counties
- Wetzell, Tyler, and Pleasants counties
- Wood, Ritchie, and Wirt counties
- Mason, Jackson, Roane, and Calhoun counties
- Mingo, Logan, Wyoming, and McDowell counties

The source of funding for expanding and establishing new CILs will determine who will monitor those CILs. Part B and State IL funding are both administered by the DSE. CILs funded by those sources will be monitored by the DSE to ensure compliance with the Federal and State Standards and Assurances for CILs. New CILs established with Part C funds will be monitored by ACL/ILA. Regardless of funding source, the use of funding to expand the network and establish new CILs will be directed by this SPIL in compliance with WV State Code §18-10M-7.

3.3 Section 723 States Only – 34 CFR 364.39

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

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

Section 4: Designated State Unit (DSU)**4.1 Administrative Support Services – 34 CFR 364.4; 34 CFR 364.22(b)**

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

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

The West Virginia Division of Rehabilitation Services (WVDRS) is the Designated State Unit for administration of the State plan for vocational rehabilitation and supported employment programming under the Act.

The chairperson of the Statewide Independent Living Council and the directors of the state's centers for independent living have requested WVDRS to serve as the Designated State Entity (DSE) for the State Independent Living Services program (Part B). WVDRS has agreed to accept that responsibility.

In carrying out its duties as DSE, WVDRS assures that it will:

- (1) Receive, account for, and disburse funds received by the State under Part B;
- (2) Keep such records and afford such access to such records as the Administrator (of the Administration for Community Living) finds to be necessary with respect to the programs;
- (3) Submit such additional information or provide such assurances as the Administrator (of the Administration for Community Living) may require with respect to the programs;
- (4) Retain not more than 5 percent of the funds received by the State for any fiscal year under Part B, for the performance of these services;
- (5) Adopt fiscal control and fund accounting procedures as may be necessary to ensure the proper disbursement of and accounting for federal funds provided to centers for independent living, the Statewide Independent Living Council, and/or other services providers under the Independent Living Services program;
- (6) Comply with all applicable federal and state laws and regulations, including those in 45 CFR part 75 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for HHS Awards);
- (7) Arrange for the delivery of independent living services under Title VII, Part B, of the Act;
- (8) Arrange for the necessary and sufficient resources needed by the West Virginia Statewide Independent Living Council to fulfill its statutory duties and authorities, as authorized in the approved State Plan for Independent Living; and,
- (9) Perform such other duties and functions consistent with the West Virginia State Plan for Independent Living as may be mutually agreed by the parties.

WVDRS further assures that as DSE it also will carry out its other responsibilities under the Act, including, but not limited to, arranging for the necessary and sufficient resources needed by the West Virginia Statewide Independent Living Council to fulfill

its statutory duties and authorities, as authorized in the approved State Plan for Independent Living.

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

NA

Section 5: Statewide Independent Living Council (SILC)

5.1 Resource plan – 34 CFR 364.21(i)

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

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

The WVSILC resource plan includes:

- \$203,150 Title I, I&E funds, minimum (a 15% reduction from previous years). The WVSILC resource plan will be re-evaluated at the end of FY 2017 to ensure this amount is adequate, necessary, and sufficient for the accomplishment of the SILC's duties and authorities.
- Any interest earned on the above funding will be budgeted and spent by the WVSILC.

SILC Authorities:

The WVSILC intends to conduct activities under the new authorities provided for in the Act as follows:

- Conduct advocacy activities to ensure state policies and services are in place which ensure all West Virginians are valued equally and participate fully in their communities.
- Develop and implement a resource development plan to support the activities of the SILC.
- Collaborate with the CILs on resource development to expand capacity of current CILs and to establish new CILs.
- Conduct leadership development activities for current and potential SILC members.
- Conduct outreach to and leadership development activities for youth with disabilities.

- Educate SILC members and staff on the new federal prohibitions against lobbying.
- Conduct research to gather data on the return on investment and the economic impact of CILs.

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

- The SILC’s responsibility for the proper expenditure of funds and use of resources that it receives under the resource plan.

WVSILC agrees, as follows, to be responsible for establishing and maintaining adequate procedures and internal financial controls governing the management and utilization of funds provided hereunder which will be in the form pursuant to generally accepted accounting procedures.

In addition, the WVSILC has in place fiscal policies and procedures which address internal controls, safe-guarding assets, expenditures, inventory, cash receipts, cash disbursements, bank statement reconciliation, management information systems, inter-fund borrowing, non-expendable property, compliance with all federal and state laws and regulations, and the annual budget process.

In the annual budget process, the WVSILC develops a budget, to the maximum extent possible, based on existing net assets and anticipated assets under current agreements. Budget revisions are made, as needed, when new funding is received during the fiscal year.

As required by the DSE, the WVSILC will have an annual audit and will provide the audit report to the DSE.

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

There are no conditions or requirements that are imposed by the DSE or any other entity that may compromise the independence of the WVSILC, and the WVSILC relies to the maximum extent possible on the resources in existence during the period of the implementation of the SPIL.

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

All funds included in the SPIL are based on current fiscal year appropriations and are subject to continued appropriations. Should appropriations cease, be decreased, or be increased, the WVSILC and WV CILs will review, and revise as needed, the funding amounts in the SPIL. Any circumstances impacting the availability of funds for the SILC

resource plan will result in the SILC and DSE renegotiating the funding for the SILC resource plan.

5.2 Establishment and Placement – 34 CFR 364.21(a)

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

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

The West Virginia SILC is incorporated as a non-profit (1996), has received 501 (c)(3) status from the Internal Revenue Service (1997), and is independent of all state agencies, including the DSE. The WVSILC was established in State Code (§18-10M) in 2001, designating the SILC in West Virginia, as it has heretofore existed under the federal rehabilitation act, as a not-for-profit corporation, and organized to meet the requirements of the federal act.

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

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

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

Members of the WVSILC are appointed by the Governor of the state of West Virginia. An application process is in place to ensure the SILC composition and qualification requirements are met. The chairperson is elected, from among the voting members of the SILC, by the voting members of the SILC. Term limits are maintained through record-keeping and by filling vacancies for full terms or partial terms, as applicable. Vacancies are filled in the following manner: The appointed members of the WVSILC conduct an annual solicitation of applications for SILC membership statewide. Applications include demographics, background information, experience, and other information necessary to ensure compliance with the composition requirements and to bring the skills, experience, and representation needed for effective functioning of the SILC. Applications received are reviewed by a committee of the SILC considering all federal requirements, current make-up of the WVSILC, and upcoming vacancies. The committee develops recommendations for appointment and presents them to the full WVSILC for consideration. Final recommendations are approved by the WVSILC and are submitted to the Governor as nominations for appointment. Information presented to the Governor includes the demographic mix of the SILC and how each nomination lends to compliance with composition requirements, any resume's provided by applicants, justification for the appointment of each nominee, and the recommended appointment term for each nominee. The WVSILC executive director works with the Governor's staff to answer questions, provide information, and to facilitate the appointment process.

5.4 Staffing – 34 CFR 364.21(j)

Describe how the following SILC staffing requirements will be met:

- SILC supervision and evaluation, consistent with State law, of its staff and other personnel as may be necessary to carry out its functions.

WVSILC staff members are employees of the non-profit corporation. The executive director is hired and supervised by the WVSILC executive committee. All other staff are hired and supervised by the executive director. The WVSILC is in compliance with all state and federal employment laws and completes all necessary reporting and documentation. The WVSILC resource plan currently supports 2.29 FTEs: an executive director (76.6%), an office manager (90.3%), a program assistant (53.4%), and an accountant (.09%). Staffing is maintained using the SILC resource plan funds and WVSILC contracts and grants.

- Non-assignment of duties to SILC staff and other personnel made available by the DSU, or any other State agency or office, that would create a conflict of interest while assisting the SILC in carrying out its duties.

There is no staff made available to the SILC by the DSE or any other entity that would create a conflict of interest.

Section 6: Service Provider Requirements

Describe how the following service provider requirements will be met:

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

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

All providers of IL services in West Virginia under the SPIL are centers for independent living funded under Title VII, Part C of the Act. All grantees under the SPIL must comply with the Standards and Assurances for CILs under Section 725 of the Act and, as a result, are all Part C funded CILs. Therefore, all service providers meet the following requirements as directed by and monitored by ACL.

West Virginia's Centers for Independent Living (WV CILs) employ 37.765 FTEs throughout WV, of which 27.425 (72.62%) are people with disabilities. The CILs ensure staff are specialists in the field of independent living, alternative communication, and to the maximum extent possible, provide staff who can communicate in native languages, and alternative forms of communication.

- Availability, to the maximum extent feasible, of personnel able to communicate (1) with individuals with significant disabilities who rely on alternative modes of communication, such as manual communication, nonverbal communication devices, Braille, or audio tapes and (2) in the native languages of individuals with significant disabilities whose English proficiency is limited and who apply for or receive IL services under title VII of the Act.

Each CIL maintains a list of interpreters, peer counselors, and other individuals who may assist with various forms of communication when necessary.

- Establishment and maintenance of a program of staff development for all classes of positions involved in providing IL services and, where appropriate, in administering the CIL program, improving the skills of staff directly responsible for the provision of IL services, including knowledge of and practice in the IL philosophy.

All CILs provide new staff orientation and training, using their individually developed procedures manuals, the WV Virtual Center for Independent Living website, and other independent resources that are available through outside sources. (IL NET, ILRU, NCIL, etc.)

All CILs provide staff development opportunities via the ILNET program, attendance at conferences such as NCIL, private training seminars, and web-based training opportunities. All staff are required to complete an individual training needs survey for the annual 704 Report, which are then tallied into the priorities of each CIL.

- Affirmative action to employ and advance in employment qualified individuals with significant disabilities on the same terms and conditions required with respect to the employment of individuals with disabilities under section 503 of the Act.

All WVCIL members take affirmative action to advance in employment qualified individuals with disabilities on the same terms and conditions required with respect to the employment of individuals with disabilities under Section 503 of the Act. (27.425 (72.62%) of 37.765 FTE staff employed at the CILs in WV are people with disabilities.)

6.2 Fiscal Control and Fund Accounting – 34 CFR 364.34

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

All WVCIL members have adopted the fiscal controls and fund accounting that are required under the General Accounting Practices and OMB Uniform Administrative Requirements (2 CFR Chapter 1, and Chapter II, Parts 200,215,220,225, 230). All CILs

conduct annual independent audits that also include programmatic requirements in addition to the fiscal requirements.

The State of West Virginia requires that any entity receiving State funds above \$50,000. provide an annual audit to the funding state agency. Federal funds that are considered pass through from a State agency also require copies of audits. Therefore, the CILs' fiscal controls are also reviewed by the State of West Virginia auditors.

6.3 Recordkeeping, Access and Reporting – 34 CFR 364.35; 34 CFR 364.36; 34 CFR 364.37

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

All fiscal records are maintained in each CIL's corporate office in accordance to the IRS requirements as to the number of years and types of records to be maintained. A list of those IRS requirements has been obtained by independent auditors to ensure compliance with those requirements.

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

All CILs will file the annual performance report by the designated date, as required by the continuation award notice received by each federally funded CIL. CILs will maintain the supporting documentation for fiscal control and fund accounting procedures that insure proper disbursement of and accounting for Federal funds. CILs will also submit any other reports/data as may be requested by the Secretary or Administrator.

- 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.

All records that are maintained by the CILs, both fiscal and programmatic, are kept in secure locations to ensure that independent auditors, State of WV auditors, and any Federal representative may review them at any time necessary.

6.4 Eligibility – 34 CFR 364.40; 34 CFR 364.41

- Eligibility of any individual with a significant disability, as defined in 34 CFR 364.4(b), for IL services under the SILS and CIL programs.

All WVCIL members have eligibility statements that are a part of each consumer's CSR and the policy of each CIL provides for self-declared disability, which is documented on the eligibility statement.

- Ability of any individual to seek information about IL services under these programs and to request referral to other services and programs for individuals with significant disabilities.

Any individual may seek information from WVCIL members, the DSE, or the WVSILC about IL services provided through the SILS and/or CIL programs and services and/or other services and programs for individuals with significant disabilities and may be referred to such services and programs upon request.

- Determination of an individual's eligibility for IL services under the SILS and CIL programs in a manner that meets the requirements of 34 CFR 364.51.

All WVCIL members' eligibility determination processes meet the requirements of Federal regulation and policy. The processes are used for both the SILS program (operated as the Community Living Services Program) and the CIL programs funded under Title VII, Part C.

- Application of eligibility requirements without regard to age, color, creed, gender, national origin, race, religion, or type of significant disability of the individual applying for IL services.

All WVCIL members believe that people with disabilities must have the same freedom of choice and independence as every other citizen. Members do not discriminate on the basis of age, sex, race, creed, political affiliation, national origin, religious belief, or disability in determining eligibility for services.

- Non-exclusion from receiving IL services of any individual who is present in the State and who is otherwise eligible for IL services, based on the imposition of any State or local residence requirement.

Individuals present in a CIL's service area are not excluded from eligibility based on residence outside the service area and no State or local residence requirements are imposed.

6.5 Independent Living Plans – 34 CFR 364.43(c)

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

At the request of the CIL consumer, all WVCIL members complete either an Independent Living Plan or Waiver. When an Independent Living Plan is completed, each consumer identifies specific goals they wish to achieve. Plans are reviewed

periodically (time frame varies per CIL) to update as necessary. If a consumer chooses to have an Independent Living Plan, this Plan must be part of the CSR in order for the consumer to be considered active during any fiscal year.

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

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

All WVCIL members are required to provide documentation in each CSR, signed by the consumer, that they have received information on the Client Assistance Program. The information provided includes what the CAP is, how it is funded, what it is for, and who to contact. Upon request of a consumer, this information is provided in the alternative format requested. A CAP brochure is provided to each consumer during the intake process, again in the format requested by the consumer. This signed document must be part of the CSR in order for the consumer to be considered active during any fiscal year.

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

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

Each WVCIL member has adopted and implemented policies and procedures to safeguard the confidentiality of all personal information, including photographs and lists of names. These policies provide for the specific safeguards to protect current and stored personal information.

As examples: consumers are requested to sign media release forms and release of information forms, which are maintained in CSRs; CSRs are secured in locked files; and computer database programs are all password and firewall protected.

During the intake process, all applicants for IL services and, as appropriate, those individuals' legally authorized representatives, service providers, cooperating agencies, and interested persons, are informed of the confidentiality of personal information and the conditions for gaining access to and releasing this information, which includes the signing of appropriate release of information forms, copies of which are maintained in each CSR.

During the intake process, information required for the 704 Report is gathered from all applicants or their legally authorized representatives. They are informed about the need to collect personal information and the policies governing its use. They are also informed of the reason for collecting the information, the governing authority requiring

the collection of information, and whether or not the information is considered mandatory or voluntary.

The policy of all WVCIL members is to gain written signed consent in order to release or share any information. There is no situation in which information can be shared without this consent, unless it is a legal subpoena from an authorized court of law holding jurisdiction over local matters. Only during legal matters shall any fees be charged for copies of records.

Since each consumer’s information is unique, there is not a list of agencies to which information is routinely provided. All information provided to agencies is completed only after the appropriate consent form is signed.

Alternative formats and methods of communication are always available when requested. HIPPA Laws pertaining to the State of West Virginia are observed at all CILs.

Section 7: Evaluation

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

Goal(s) and the related Objective(s) from Section 1	Method that will be used to evaluate
<p>Goal 1: Improve independent living services in West Virginia.</p> <p>Goal 2: Provide independent living services in West Virginia.</p> <p>Goal 3: Conduct and participate in advocacy activities.</p>	<p>Strategies for monitoring and evaluating objectives in the SPIL work plan include the following:</p> <ol style="list-style-type: none"> 1. Develop indicators for the objectives in the SPIL. 2. Review the SPIL at each SILC meeting and evaluate whether timelines are being met: <ul style="list-style-type: none"> - If action steps and/or objectives have not been accomplished, analyze why and determine what adjustments need to be made; - Develop strategies for measuring whether indicators have been met. 3. Work with WVCIL to determine how data will be gathered. 4. Review the annual Consumer Satisfaction Survey Report summarizing responses from consumers receiving independent living services during the year. 5. Review the quarterly and annual Community Living

	<p>Services Program reports.</p> <p>6. Review the 704 Reports (Part II) from the WVCIL members.</p> <p>7. Review ACL/ILA Site Review reports of CILs when available.</p> <p>8. Invite each CIL to do an annual presentation at a SILC meeting to discuss their programs and operations.</p> <p>9. Review the WVSILC annual report to the Governor.</p> <p>10. Review the 704 Report (Part I) for West Virginia.</p> <p>The Administrative Committee will review these strategies annually and will adjust and further develop the Evaluation Plan as needed.</p>
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Section 8: State-Imposed Requirements

Identify any State-imposed requirements contained in the provisions of this SPIL. Indicate N/A if not applicable. 34 CFR 364.20(h)

The CILs are authorized to charge for services offered by the Community Living Services Program based on economic need. The policies for establishing economic need are as follows:

Economic Need. The WV CILs will complete an economic need form to determine the extent that a consumer can contribute to their independent living program.

The WV CILs will implement economic policies uniformly and objectively to ensure that the level of any financial participation required of an individual is equitable and reasonably consistent with that required of other individuals whose available economic resources or other pertinent circumstances are similar.

Consumer’s economic need will be reviewed annually to assure that the individual is treated equitably and to document changes in economic resources.

Administrative Adjustment: In exceptional circumstances, the CIL Director may approve administrative adjustments from the WV CIL’s usual policies.