

**SPIL Instrument**

State: KANSAS

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

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**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**

***DRAFT 2011 - 2013***

Effective Date: October 1, 2011

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## PART I: Assurances

State of: **KANSAS**

### 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 **Kansas Rehabilitation Services (KRS)** (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 **KS REHABILITATION SERVICES (KRS)** (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 **STATEWIDE INDEPENDENT LIVING COUNCIL OF KANSAS, SILCK** (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 plan are consistent with State law. *34 CFR 76.104(a)(4) and (8)*
- 1.7 The representative(s) of the DSU and, if applicable, of the separate State agency authorized to provide VR services to individuals who are blind, who has/have the authority under State law to receive, hold, and disburse Federal funds made available under the SPIL and to submit the SPIL jointly with the SILC chairperson is/are: **Chris Owens** (Name of SILC Chairperson) and **Michael Donnelly** (Name of DSU director). *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 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:
- (a) The availability of the CAP authorized by section 112 of the Act;
  - (b) The purposes of the services provided under the CAP; and
  - (c) How to contact the CAP. *34 CFR 364.30*
- 3.4 Participating service providers meet all applicable State licensure or certification requirements. *34 CFR 365.31(c)*

### **Section 4: Eligibility**

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

### **Section 5: Staffing Requirements**

5.1 Service provider staff includes personnel who are specialists in the development and provision of IL services and in the development and support of centers. *34 CFR 364.23(a)*

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

(1) With individuals with significant disabilities who rely on alternative modes of communication, such as manual communication, nonverbal communication devices, Braille or audio tapes, and who apply for or receive IL services under title VII of the Act and (2) in the native languages of individuals with significant disabilities whose English proficiency is limited and who apply for or receive IL services under title VII of the Act. *34 CFR 364.23(b)*

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

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

## **Section 6: Fiscal Control And Fund Accounting**

6.1 All recipients of financial assistance under parts B and C of chapter 1 of title VII of the Act will comply with applicable EDGAR fiscal and accounting requirements and will adopt those fiscal control and fund accounting procedures as may be necessary to ensure the proper disbursement of and accounting for those funds. *34 CFR 364.34*

## **Section 7: Recordkeeping, Access and Reporting**

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

- 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;



## **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.

**Kansas' mission is to advocate for and achieve independence, choice, equal access, equal opportunity and empowerment for individuals with disabilities regardless of age.**

**Our overall goal is to maximize the leadership, empowerment, independence, and productivity of individuals with disabilities, and the integration and full inclusion of individuals with disabilities into the mainstream of society.**

#### 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.

### **Kansas will:**

**Goal 1: Increase availability of independent living core services statewide.**

**Objective 1: Educate policymakers at state and national level about need to increase base funding for Centers for Independent Living to \$500,000 by 2013.**

**Objective 2: Support Independent Living Day at the Capitol in FY 11, 12 and 2013.**

**Goal 2: Increase outreach and public awareness to build community capacity to unserved /underserved populations in local areas through special projects grants.**

**Objective 1: Kansas Rehabilitation Services (KRS) and the Kansas SILC (SILCK) will facilitate an RFP committee to review and award**

**Title VII, Part B grants based on input gathered from public hearings to focus on un/underserved populations.**

**Objective 2: KRS will administer and monitor Title VII, Part B grant funds and outcomes. SILCK will provide input regarding SPIL priorities.**

**Goal 3: Increase participation in the workforce by people with disabilities.**

**Objective 1: Provide outreach and education to increase public awareness about Kansas Medicaid Buy-in program, Working Healthy, and the services available through the KRS by participating in the Kansas Disability Caucus in 2011 and 2013.**

**Objective 2: Provide outreach and transition services to youth in the community in order to deliver skills necessary to enter the workforce including but not limited to: building self-esteem, problem solving skills, self-advocacy skills, knowledge of community resources, goal setting; exploration of career opportunities as well as labor market and educational requirements through linkages to KYEA, workforce centers, schools and other community partners, while increasing youth participation in the Disability Caucus.**

**Goal 4: Increase the enforcement of existing civil rights laws and the advancement of the civil rights of people with disabilities.**

**Objective 1: Support and advance the civil rights of people with disabilities by proposing at least one policy change or piece of legislation based on input received at regional public hearings each year that will address this goal for 2011, 2012, 2013.**

**Objective 2: Provide training at the Kansas Disability Caucus (2011 and 2013) and the Independent Living Conference (2010 & 2012) to promote and maximize independent living in family, community or employment to a minimum of 200 persons each year for 2011, 2012 and 2013.**

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:

1. Identify the populations to be designated for targeted outreach efforts;
2. Identify the geographic areas (i.e., communities) in which the targeted populations

reside; and

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

**On February 15, 2010 public hearing attendees requested specific outreach to the following communities:**

1)

2)

3)

4)

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.

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

#### Year 1

<b>Sources</b>	<b>Approximate Funding Amounts and Uses</b>			
	SILC Resource Plan	IL Services	General CIL Operations	Other SPIL Activities
<b>Title VII Funds</b>				
*Chapter 1, Part B	\$146,000			\$183,124
Chapter 1, Part C			\$784,789	
*Chapter 2, Individuals Who		\$307,126		

are Older Blind				
<b>Other Federal Funds</b>				
Sec. 101(a)(18) of the Act (Innovation and Expansion)	\$100,000			
Other (SSR)			\$400,000	
<b>Non-Federal Funds</b>				
State Funds	\$50,000		\$1,719,307	
Other				

**Year 2**

<b>Sources</b>	<b>Approximate Funding Amounts and Uses</b>			
	SILC Resource Plan	IL Services	General CIL Operations	Other SPIL Activities
<b>Title VII Funds</b>				
*Chapter 1, Part B	\$146,000			\$183,124
Chapter 1, Part C			\$784,789	
*Chapter 2, Individuals Who are Older Blind		\$307,126		
<b>Other Federal Funds</b>				
Sec. 101(a)(18) of the Act (Innovation and Expansion)	\$100,000			
Other (SSR)			\$400,000	
<b>Non-Federal Funds</b>				
State Funds	\$50,000		\$1,719,307	
Other				

|

**Year 3**

<b>Sources</b>	<b>Approximate Funding Amounts and Uses</b>			
	SILC Resource Plan	IL Services	General CIL Operations	Other SPIL Activities
<b>Title VII Funds</b>				
*Chapter 1, Part B	\$146,000			\$183,124
Chapter 1, Part C			\$784,789	
*Chapter 2, Individuals Who are Older Blind		\$307,126		
<b>Other Federal Funds</b>				
Sec. 101(a)(18) of the Act (Innovation and Expansion)	\$100,000			
Other (SSR)			\$400,000	
<b>Non-Federal Funds</b>				
State Funds	\$50,000		\$1,719,307	
Other				

\* amounts reflect federal award with state match included

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.

**Chapter 1 Part B funds in the amount of 146,000, and \$100,000 (Title I, I&E funds) will be used to fund the resource plan for SILCK. \$183,124 Federal and State, Part B funds will be used to fund the special projects grants to increase outreach, public awareness and community capacity building to unserved and underserved populations. Chapter 1 Part C (\$784,789), Social Security Reimbursement (\$400,000) and state general funds (\$1,719,307) will fund the state’s network of centers for independent living.**

**Chapter 2 Older Blind funds (\$307,126) will provide independent living services through the state KAN-SAIL program.**

1.3 B(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.

**SILCK, KRS, KAN-SAIL and the CILs are committed to fostering cooperation and coordination to avoid unnecessary duplication with federal, state, and local programs.**

**SILCK, KRS, KAN-SAIL and the CILs ensure coordination and cooperation by which each other and other providers of IL or closely related services at the federal, state, county, municipal and public/private sector levels. Representatives of KRS and the CIL's participate on SILCK, State Rehabilitation Council, and will visit and interact with staff from the other organizations. When appropriate, consumers the various programs and each agency provides information to consumers about other programs.**

**The amounts of funding dedicated to each are shown in the financial table above and were completed with the assumption that Title VII and state funding sources would remain stable.**

1.3 B(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.

*N/A*

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

*N/A*

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 road to empowerment includes individual and systems change. The SPIL includes goals that promote individual and systems change. Systems change in the SPIL includes further de-medicalization, de-institutionalization, strengthened public policies for equal access and further utilization of individual and system advocacy. Individual change in the SPIL includes the use of peer support, individual advocacy, information and referral and independent living skills training. Kansas also will evaluate existing programs to determine their effectiveness, and then encourage redirection of resources to provide optimum opportunities for people with disabilities.**

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

**The Kansas Disability Caucus held in 2009 was attended by over 600 Kansans with disabilities where input was gathered. Additionally, KRS and the SILCK hosted a statewide public hearing, in person and by teleconference including 12 sites on February 15, 2010; 100 persons were in attendance. It is the intention of the SILCK and the DSU to continue work together in the development of the SPIL. The DSU continues to remain active on the SILCK board..**

**SILCK also provided opportunity to comment on the plan through the SILCK's web site.**

**A compilation of priorities and common themes from the focus groups and the planning session are as follows: (1) increased availability of core IL services statewide; (2) the enforcement of existing civil rights laws and the advancement of the civil rights for people with disabilities; (3) public awareness to reduce stigma and increase understanding of people with disabilities within local communities;(4) increase participation in the workforce by people with disabilities.**

**Before being finalized, the draft three-year plan was distributed to all of the centers for independent living for review.**

#### 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.

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

**SILCK, KRS, KAN-SAIL and the CILs will ensure coordination and cooperation with other providers of IL or closely related services at the federal, state, county, municipal and public/private sector levels. The Department of Social and Rehabilitation, the Department of Aging, Kansas Native American 121 Project and the Kansas Commission on Disability Concerns staff serve on the SILCK, attend the Kansas Disability Caucus, and visits and interacts with CIL staff.**

#### 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.

**Kansas coordinates with the Dept. of Special Education, universities, developmental disability agencies, public health entities, Department of Social and Rehabilitation Services, Department of Health and Environment, state organizations and agencies handling housing, transportation and veteran's programs and finally with KRS, including the older blind services. Kansas works diligently to ensure no unnecessary duplication occurs by referring consumers to other programs when consumer needs require, and through formal and informal interface between service providers such as, community fairs, peer support groups and state conferences.**

#### 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.

**The Independent Living Older Blind program for seniors 55 and older with visual impairments is administered, managed, and staffed by the Designated State Unit (DSU) through Kansas Services for the Blind and Visually Impaired (KSBVI). KSBVI is a division of Kansas Rehabilitation Services. The Older Blind program is referred to as Kan-SAIL (Kansas Seniors Achieving Independent Living).**

**This section needs to be updated after public hearing.**

**Kan-SAIL services are available state-wide through the development and implementation of twelve community based workshops each federal fiscal year. The Kan-SAIL staff is responsible for the majority of case processing functions related to service provision for eligible consumers. Rehabilitation Teachers (RT) located in Kansas Rehabilitation Services field offices partner with Kan-SAIL staff to ensure maximum service availability for eligible individuals as appropriate by providing in-home and in community services. Services available include training for independent living through identified individualized plans called Senior Life Plans or SLPs. Blindness and low-vision techniques are taught. Assistive technology and minimal equipment may be loaned to consumers for use in their home and / or community. In FFY 2007, 475 clients were served across Kansas.**

**For those individuals seeking assistance with low-vision or blindness skills training but do not meet federal eligibility, appropriate referrals will be**

made to the Independent Living Centers and / or other community resources.

Due to limited availability of funds for Kan-SAIL services the DSU will, in partnership with the SILCK convene consumers, stakeholders and advocates in FFY'08 and FFY '09 to gather input and recommendations for the future of Kan-SAIL focused on the most efficient and effective use of OIB funds to serve consumers statewide.

**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).

<b>Table 2.1A(1): Independent living services</b>	<b>Provided by the DSU (directly)</b>	<b>Provided by the DSU (through contract and/or grant)</b>	<b>Provided by the CILs (Not through DSU contracts/grants)</b>
Core Independent Living Services, as follows:			
- Information and referral		X	X
- IL skills training		X	X
- Peer counseling		X	X
- Individual and systems advocacy		X	X
- De-institutionalization			
Counseling services, including psychological, psychotherapeutic, and related services			
Services related to securing housing or shelter, including services related to community group living, and supportive of the purposes of this Act and of the titles of this Act, and adaptive housing services (including appropriate accommodations to and modifications of any space used to serve, or occupied by, individuals with significant disabilities)		X	X
Rehabilitation technology		X	X
Mobility training		X	X
Services and training for individuals with cognitive and sensory disabilities, including life skills training, and interpreter and reader services		X	X

<b>Table 2.1A(1): Independent living services</b>	<b>Provided by the DSU (directly)</b>	<b>Provided by the DSU (through contract and/or grant)</b>	<b>Provided by the CILs (Not through DSU contracts/grants)</b>
Personal assistance services, including attendant care and the training of personnel providing such services		X	X
Surveys, directories and other activities to identify appropriate housing, recreation, accessible transportation and other support services		X	X
Consumer information programs on rehabilitation and IL services available under this Act, especially for minorities and other individuals with disabilities who have traditionally been unserved or underserved by programs under this Act		X	X
Education and training necessary for living in the community and participating in community activities		X	X
Supported living		X	X
Transportation, including referral and assistance for such transportation		X	X
Physical rehabilitation		X	X
Therapeutic treatment		X	X
Provision of needed prostheses and other appliances and devices		X	X
Individual and group social and recreational services		X	X
Training to develop skills specifically designed for youths who are individuals with significant disabilities to promote self-awareness and esteem, develop advocacy and self-empowerment skills, and explore career options		X	X
Services for children with significant disabilities		X	X
Services under other Federal, State, or local programs designed to provide resources, training, counseling, or other assistance of substantial benefit in enhancing the independence, productivity, and quality of life of individuals with significant disabilities		X	X
Appropriate preventive services to decrease the need of individuals with significant disabilities for similar services in the future		X	X
Community awareness programs to enhance the understanding and integration into society of individuals with disabilities		X	X
Other necessary services not inconsistent with the Act		X	X

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

**Kansas has established systems advocacy, consumer information programs on rehabilitation and IL services available under the Act. Additionally, Kansas will conduct community awareness programs to enhance the understanding and integration into society of individuals with significant disabilities as the state's service priorities. Identified target populations include but are not limited to Native American, youth, victims of domestic violence and the GLBT community.**

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:

1. Any consideration of financial need is applied uniformly so that all individuals who are eligible for IL services are treated equally; and
2. 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.

**N/A**

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

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

**N/A**

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 DSU awards state IL funds in the amount of \$ 1,719,307 SFY 10 among all 12 Centers for Independent Living as a grant with the requirements that the recipient comply with requirements of TITLE VII, Chapter 1, Part C regulations. Eligibility for services will be determined by the CIL.**

## **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.

**Kansas currently has a network of thirteen CIL's. Three Title VII, Part C funded Centers are located in Topeka, Lawrence and Hays. These Centers have received federal funding since 1979-80 in the amount of \$692,183. Another two CILs were more recently awarded Federal Title VII, C funds: Three Rivers in Wamego (\$31,621); and, Southeast Kansas Independent Living Resource Center (SKIL) in Parsons (\$61,075); Total Title VII, Part C funds in Kansas is \$784,789.**

**State General Funds (SGF) independent living funds in the amount of \$1,719,307 SFY 08 also support the Kansas' CIL network. An additional \$400,000 in Social Security Reimbursement funds support the two newest Centers in Kansas, Prairie Independent Living Resource Center in Hutchinson and Center for Independent Living Southwest Kansas in Garden City. These funds were obtained at the direction of the Kansas legislature in 1996.**

**Total state and federal funds supporting Independent Living in Kansas is: \$3,383,220 SFY2008 (SFY 2008).**

**Another federally funded, Title VII, Part C Center, The Whole Person Inc. is established as a Missouri corporation. While this federal grant originates from Missouri, the CIL targets 37% of their federal funds to serve two counties in the Kansas City metropolitan area (Johnson and Wyandotte). The Whole Person, Inc. does not receive any SGF funding and is not included in the Kansas SPIL.**

**Compliance with Section 725 of the Rehabilitation Act is required of all Centers for Independent Living operating in Kansas regardless of their funding sources.**

### 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).

**Kansas will continue to support the development of a network of centers through the following activities:**

- 1. Educating policymakers of the need for additional state and**

- federal funding to bring all CILs to adequate base funding levels.
2. Using available resources for the provision of technical assistance to build additional capacity within the Kansas CILs.

**THIS SECTION REQUIRES ADDITIONAL LANGUAGE TO REFLECT ISSUES RELATED TO;**

- 1) **CLOSURE OF A CIL and PREVENTING A FUNDING LAPSE AND ASSURANCES THAT SERVICES CAN CONTINUE TO BE PROVIDED TO ALL DESIGNATED POPULATIONS AS ASSIGNED BY ORIGINAL GRANT.**
- 2) **DESCRIPTION OF DISTRIBUTION OF STATE GENERAL FUNDS TO BE DIVIDED PROPORTIONALLY AMONG EXISTING CILs**
- 3) **DESCRIPTION OF DISTRIBUTION OF FEDERLA TITLE VII, IL FUNDS. OPTIONS OF OFFERING A RFP PROCESS FOR THOSE CILs WHO DO NOT CURRENTLY RECEIVE TITLE VII, C FUNDS**

Should additional Title VII, Part C federal funding become available during the course of this three-year Plan, the funds will be distributed according to the following:

The Centers for Independent Living have expressed the need to have a base budget of \$500,000. Therefore, all new federal VII C funds allotted specifically to support the operations of centers for independent living in this state shall be distributed in equal amounts to the existing centers in this state until such time as each center's base budget is \$500,000.

Kansas is proposing the following plan to expand the core services offered through the Kansas Centers for independent living.

**OBJECTIVE 1: Educate policymakers to ensure adequate state and federal appropriations for the operation of CIL's.**

**OBJECTIVE 2: Develop additional resources to support special projects that may be implemented through CILs.**

**OBJECTIVE 3: Continue national efforts to increase distribution of funds to rural states.**

3.3 Section 723 States Only – 34 CFR 364.39

3.3A If the State follows an order of priorities for allocating funds among centers within a State that is different from what is outlined in 34 CFR 366.22, describe the alternate order of priority that the DSU director and the SILC chair have agreed upon. Indicate N/A if

not applicable.

**N/A**

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

**N/A**

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.

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

**N/A**

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

**N/A**

## **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.

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

## **PLAN FOR THE PROVISION OF RESOURCES TO THE SILCK BUDGET**

**The Statewide Independent Living Council of Kansas, Inc. (SILCK) was established as a not-for-profit corporation to coordinate the functions related to the planning, monitoring, and evaluation of the State Plan for Independent Living (SPIL) as described in Section 705 of the Rehabilitation Act of 1973, as amended. The SILCK will maintain staff and an office commensurate to the efforts necessary to carry out the work of the**

**Council.**

**SILCK staff shall include at least a full time Executive Director and one full time Administrative Assistant. SILCK currently contracts with an outside consultant / bookkeeper for accounting duties.**

**The comprehensive resource plan outlined below identifies the federal funds provided by KRS from Title VII-B, Ch. 1, (\$146,000). In addition to the Title VII-B funds, the SILCK will maintain its contract with Kansas Rehabilitation Services for administration and operation for \$100,000 / year (Title I pursuant to 34 C.F.R. 361.35).**

**The Resource Plan supports management and operation of the SILCK, including but not limited to, staff (executive director and administrative assistant), an independent office space as a not-for-profit, 501-c-3 organization, contractual services, educational activities, and travel costs and reasonable accommodations for members and staff. The SILCK is responsible to manage its budget. Kansas Rehabilitation services will maintain its obligation to oversight of VII B funds.**

**PROJECTED RESOURCE ALLOCATION FOR EACH FFY 2008 - 2010**

Federal Title VII B	\$146,000
Federal Title I (KRS )	\$100,000
SGF Grant	\$ 50,000
<hr/> TOTAL	<hr/> \$296,000

The above projected income is anticipated to remain consistent throughout the next three year period.

**The resource plan was developed to support operational expenditures approved by the State Independent Living Council of Kansas. Funds for the plan will come from Title I and Title VII, Part B of the Rehabilitation Act of 1973, as amended, State General Funds, and other federal, state and private funding sources.**

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

1. The SILC’s responsibility for the proper expenditure of funds and use of resources that it receives under the resource plan.
2. Non-inclusion of conditions or requirements in the SILC resource plan that may compromise the independence of the SILC.

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

**As an independent organization, SILCK is responsible for management of its budget and any expenditures. The resource plan will support the Council's activities, including personnel, operating, and funding projects such as; demonstrating ways to expand and improve IL services, outreach to un-served or underserved populations, providing training regarding IL philosophy, conducting studies and analysis, developing model policies, etc. SILCK will continue to operate within the budget which is itemized in the table on page (23) during the period of implementation of the State 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.

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

**SILCK was established as a separate not-for-profit entity under Section 501(c) (3) of the Internal Revenue code. Although the Governor appoints its members, SILCK is independent in its management and activities.**

**SILCK's office is located in a high rise office building, separate from the DSU, in downtown Topeka, Kansas. The Kansas SILC board is responsible to select and supervise its staff, establish and manage its budget and set and carryout priorities and activities.**

#### 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).

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

**Board Membership Eligibility.** All residents of the state of Kansas shall be eligible to apply for appointment to the SILCK board of directors.

**Board Membership Applications.** The application for board membership shall be available on the SILCK website, at all public meeting, and hearings of the SILCK and from the SILCK office. The application for board membership shall be available in the necessary formats to insure full access. Individual residents of

Kansas may submit applications for appointment to the SILCK board to the SILCK office.

**Application Review.** The Membership Committee of the SILCK shall review all applications for board membership and submit nominees to the SILCK board of directors for review and approval. The SILCK board of directors shall forward the list of approved nominees to the Governor of Kansas for appointment to the SILCK board.

#### 5.4 Staffing – 34 CFR 364.21(j)

Describe how the following SILC staffing requirements will be met:

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

**The Board of Directors of the SILC are responsible for hiring, supervision and removal of the Executive Director. The Executive Director is responsible for hiring, evaluating, and supervising other staff. The Executive Director has day-to-day management responsibility for SILCK, including carrying out the policies and goals of the organization. The Executive Director shall attend all Executive Committee and Board meetings.**

1. 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.

**N/A**

#### **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

1. Inclusion of personnel who are specialists in the development and provision of IL services and in the development and support of centers.
2. 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.
3. 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.
  4. 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.

**Kansas Rehabilitation Services is working to create and implement policies/monitoring protocol in order to ensure CILs have policies and procedures in place that ensure service providers include personnel specifically trained in the provision of IL services and support of centers.**

**"Kansas works to ensure that accessibility is a reality for all. All parties: SILCK , KRS, and CILs work together to see that materials are provided in an accessible format; this includes Braille, large print, audio tape, CD and other formats. All internet sites will meet or exceed accessibility guidelines, and multimedia designs will be made accessible. For meetings and live events language interpreters, including sign language interpreters and interpreters for those with limited English proficiency, will be provided as needed."**

**Kansas practices affirmative action in hiring and advancing in employment qualified individuals with significant disabilities. Kansas Rehabilitation Services will build into the monitoring protocols a measure which looks at IL service providers employment and advancement of qualified individuals with significant disabilities to ensure they are being treated in a equitable fashion Referencing section 503 and 504 of the Act.**

**Kansas Rehabilitation Services is required to monitor the state's CILs as part of their responsibility as the DSU. RSA maintains its responsibility to monitor CIL compliance with standards and indicators for Title VII, Part C funded CILs.**

#### 6.2 Fiscal Control and Fund Accounting – 34 CFR 364.34

1. 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.

**Kansas Rehabilitation Services is developing and implementing monitoring protocols during the time frame of this state plan. Fiscal responsibility is an area of the monitoring process which will be addressed,. Currently independent auditor's reports are sent to the DSU and suggestions for corrective action are made in writing directly to the executive director of a CIL or SILC as needed. KRS will maintain appropriate fiscal control and fund accounting procedures to ensure the proper disbursement of and accounting for funds made available through part B of chapter 1 title VII of the Act in addition to complying with applicable EDGAR fiscal and accounting requirements. KRS will work to ensure all grantees utilize proper controls and accounting policy through on site visits and monitoring of centers.**

6.3 Record-Keeping, Access and Reporting – 34 CFR 364.35; 34 CFR 364.36; 34 CFR 364.37

1. Maintenance of records that fully disclose and document the information listed in 34 CFR 364.35.
2. Submission of annual performance and financial reports, and any other reports that the Secretary determines to be appropriate
3. 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.

**SRS requires that grant and related reports be maintained by each center receiving grant awards for a period of five years. Currently , Centers for Independent Living receiving grant awards from the DSU submit monthly financial reports, as well as quarterly activity reports. The SILCK and KRS jointly submit the annual 704 Report. All applicable records are available to both state and federal auditors/reviewers. Federally funded CIL's continue to be responsible to develop and submit 704 reports as required. As necessary and allowable by HIPAA, individual CIL records are available to both state and federal auditors/reviewers.**

6.4 Eligibility – 34 CFR 364.40; 34 CFR 364.41

1. 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.
2. 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.
3. 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.
4. 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.

5. 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.

**All case service records contain information documenting individuals' eligibility for IL services consistent with the requirements of 34 CFR 364.51. The CILS also record the number of individuals seeking information on services and programs and provide information and referral to individuals requesting referral to other services or programs.**

**CILs do not discriminate on the basis of age, color, creed, gender, national origin, race, religion of type of significant disability. There is no residence exclusion from IL services for anyone present in the state. CAP information is provided to every applicant by the center, in order to ensure compliance with the non-discrimination policy. Kansas Rehabilitation Services will also work to address this in monitoring protocols which are to be developed, and implemented prior to the submission of the next state plan.**

#### 6.5 Independent Living Plans – 34 CFR 364.43(c)

1. 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.

**All IL CONSUMERS are given the option of writing an independent living plan or signing a waiver negating this necessity.**

#### 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.

**As required by consumer need, CAP information is presented to IL clients in a variety of accessible formats: large print, Braille or audio tape.**

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

1. 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.

**Kansas Rehabilitation Services in developing its monitoring protocols will evaluate current CIL practices, making recommendations for corrective action should HIPAA not be met regarding the confidentiality of, according to 34CFR 364.56(a).**

## 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*

**The SILCK and KRS are responsible for monitoring, reviewing, and evaluating the implementation of the SPIL. The SILCK will use several evaluation components to ensure compliance with requirements of Section 15. They include:**

**Submit an Annual 704 Report to RSA in conjunction with KRS**

**SILCK and KRS will prepare information for Part I of the report and submit to RSA not more than 90days after the end of the federal fiscal year (December 30).**

**Full Council review of the progress on the SPIL. The SILCK will review the progress on the SPIL at least once every year at the September (Fall) full Council meeting.**

**Annual review of audited financial statement. The SILCK executive and finance committee will review the audited financial statements by the end of the first quarter. They will report the results at the spring full Council meeting.**

## Section 8: State-Imposed Requirements

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

Indicate N/A if not applicable.

**N/A**

Effective Date: October 1, 2011