

State: NE

**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 2011-2013**

Effective Date: October 1, 2010

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## PART I: Assurances

State of: Nebraska

### 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 Department of Vocational Rehabilitation. *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 NE Commission for the Blind and Visually Impaired 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 NE Statewide Independent Living Council *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 Mark Schultz and Pearl Van Zandt *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: 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;
- 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 Nebraska is in compliance and will remain in compliance with the aforementioned assurances during 2011-2013 ).

The effective date of this SPIL is October 1, 2010

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Mary Angus  
SIGNATURE OF SILC CHAIRPERSON DATE

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NAME OF SILC CHAIRPERSON

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Mark Schultz  
SIGNATURE OF DSU DIRECTOR DATE

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NAME AND TITLE OF DSU DIRECTOR

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Pearl Van Zandt  
SIGNATURE OF DIRECTOR OF THE SEPARATE STATE AGENCY FOR INDIVIDUALS WHO ARE BLIND DATE

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

## **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.

The mission of the IL programs and services in Nebraska is to promote independent, inclusive lives in the community for people with disabilities.

The Goals for the IL programs and services in Nebraska are:

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

- Information and referral on independent living
- Independent living skills training
- Self and systems advocacy
- Peer Mentoring
- Information on the philosophy of consumer control and self determination
- Expand IL service delivery in unserved and underserved areas of the state
  
- Direct services utilizing Part B dollars
  1. Assistive Technology Partnership – Services are to provide a statewide approach to serving unserved and underserved areas of the State within a focused service area (home modifications and assistive technology but technically could provide any Part B service).
  2. Services from the Nebraska Commission for the Blind and Visually Impaired (NCBVI). NCBVI provides direct services promoting greater independent living for blind and visually impaired people statewide.
  3. Panhandle Independent Living Services – Part B dollars are utilized to operate a CIL to provide Core Services in an area unserved by any Part C funded Center for Independent Living.

The mission for the Nebraska 2011-2013 SPIL is that "People with mental illness and acquired brain injury in Nebraska live independently and participate fully in the community of their choice".

The Goals for the Nebraska 2011-2013 SPIL are:

1. People with mental illness and acquired brain injury in Nebraska are able to maximize their work potential.
2. People with mental illness and acquired brain injury in Nebraska have access to adequate health care.
3. People in Nebraska have full information on independent living services available in Nebraska for people with mental illness or acquired brain injury.

These goals address the goals and mission of both the SILS and the CIL programs, including those of the State agency for individuals who are blind, by increasing independent living knowledge and opportunities. A network, including, but not limited to, the State Rehabilitation Council, Nebraska Advocacy Services, the Independent Living Partners, and other mandated state organizations, will be identified and invited to participate in achieving these goals.

#### 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.

The Objectives for the Nebraska 2011-2013 SPIL are:

1. Goal 1 **People with mental illness and acquired brain injury in Nebraska are able to maximize their work potential.**

##### Objective 1.1

People with mental illness or acquired brain injury in Nebraska are able to find out about work incentives available under the Ticket to Work Program which enable them to transition to work while maintaining other benefits.

##### **October 1, 2010 through September 30, 2011,:**

Stakeholders, including, but not limited to, individuals with mental illness or acquired brain injury, the Kolb Foundation for Disability Education, individuals with mental illness or acquired brain injury, the State Rehabilitation Council, the Independent Living Partners, other mandated state organizations, and other advocates for individuals with mental illness or acquired brain injury, will be identified and invited to join an ad hoc committee to:

- Identify ways to educate people with mental illness or acquired brain injuries about various work incentives available.
- Assist in dissemination of educational material on work incentives and employment support.
- Examine how other states are using Medicaid to improve employment opportunities for persons with mental illness or acquired brain injury.

##### **October 1, 2011 through September 30, 2013**

Work with individuals in Medicaid Infrastructure Grant to identify more individuals to be disability benefits specialists and to encourage people with mental illness and acquired brain injuries to utilize their services.

#### Objective 1.2

The enhanced Medicaid Insurance for Workers with Disabilities provides greater opportunities for employment for people with mental illness and acquired brain injury. Note: Current efforts to get legislation passed have been delayed due to legislative and economic realities.

##### **October 1, 2010 through September 30, 2011:**

Stakeholders, including, but not limited to, individuals with mental illness or acquired brain injury, the Kolb Foundation for Disability Education, individuals with mental illness or acquired brain injury, the State Rehabilitation Council, the Independent Living Partners, other mandated state organizations, and other advocates for individuals with mental illness or acquired brain injury, will be identified and invited to join an ad hoc committee to:

- Identify ways other states have used Medicaid Insurance for Workers with Disabilities to maximize the work potential of people with mental illness or acquired brain injuries.
- Develop educational packets on work incentives, employment supports, and how other states are using Medicaid to improve employment opportunities for persons with mental illness or acquired brain injury.

##### **October 1, 2011 through September 30, 2013:**

Educate legislators and other policy makers, on the benefits of enhancing the current Medicaid Insurance for Workers with Disabilities and recruit sponsors for necessary legislation. Work on this objective will continue into the next SPIL.

### **Goal 2 People with mental illness and acquired brain injury in Nebraska have access to adequate health care.**

#### Objective 2.1

Health care resources are focused on community based services rather than institutional provision of services.

##### **October 1, 2010 through September 30, 2011:**

Stakeholders, including, but not limited to, people with mental illness or acquired brain injury, Nebraska Advocacy Services, the Independent Living Partners and other mandated state organizations, and other advocates for people with mental illness or acquired brain injury, will be identified and invited to join an ad hoc committee to:

- Identify educational materials on services which allow people with mental illness or acquired brain injuries to receive services in the community; and
- Compile information on Medicaid waivers which would allow reimbursement for these services.

**October 1, 2011 through September 30, 2012:**

Encourage the Department of Health and Human Services to apply for such waivers. In the event that the Department is unresponsive to these efforts, legislative support will be identified to introduce legislation which would compel application for necessary waivers.

**October 1, 2012 through September 30, 2013.**

Given the voluntary application for waivers, the committee will be involved in the implementation. If legislative action is required, the committee will work for passage of that legislation. As a result, the following SPIL would include the involvement in the implementation of those waiver services.

Objective 2.2

Medicaid resources are used efficiently and effectively to provide health care services needed by people with mental illness and acquired brain injury in Nebraska.

**October 1, 2010 through September 30, 2011:**

Stakeholders, including but not limited to people with mental illness or acquired brain injury, Nebraska Advocacy Services, the Independent Living Partners and other mandated state organizations, and other advocates for people with mental illness or acquired brain injury, will be invited to join an ad hoc committee to:

- Investigate the viability of tele-health in the provision of health care services for people with mental illness or acquired brain injury.
- Develop informational material on the use of tele-health services for people with mental illness or acquired brain injury.

**October 1, 2011 through September 30, 2012:**

Educate consumers, providers, and support staff on the use of tele-health to provide services to people with mental illness or acquired brain injury in Nebraska.

**October 1, 2012 through September 30, 2013:**

Collaborate with consumers, providers, and support staff to increase utilization of tele-health for people with mental illness or acquired brain injury.

**Goal 3 People in Nebraska have full information on independent living services available in Nebraska for people with mental illness or acquired brain injury.**

Objective 3.1

Ensure Nebraska providers of services for independent living have accurate information about independent living for people with mental illness and acquired brain injury.

**October 1, 2010 through September 30, 2011:**

IL Partners, people with mental illness or acquired brain injury, and other stakeholders will be invited to join an ad hoc committee to:

- Identify accurate material regarding independent living for people with mental illness or acquired brain injury.
- Develop informational packets specifically targeting providers of independent living services.

**October 1, 2011 through September 30, 2013:**

Disseminate that material to service providers.

Objective 3.2

Ensure Nebraskans have accurate information about people mental illness and acquired

brain injury and their potential for independent living.

**From October 1, 2010 through September 30, 2011**

The ad hoc committee developed in the first objective will identify accurate material regarding independent living for people with mental illness or acquired brain injury.

**October 1, 2011 through September 30, 2013**

Disseminate that material to the public in Nebraska.

Objective 3.3

Ensure people with mental illness and acquired brain injury in Nebraska have information on independent living and available resources.

**From October 1, 2010 through September 30, 2011**

The ad hoc committee developed in the first objective will identify and compile accurate information on independent living and Nebraska resources for people with mental illness or acquired brain injury.

**October 1, 2011 through September 30, 2013:**

Disseminate that material to people with mental illness or acquired brain injury.

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;
- Identify the geographic areas (i.e., communities) in which the targeted populations reside; and
- Describe how the needs of individuals with significant disabilities from minority group backgrounds will be addressed.

The unserved or underserved populations to be designated a priority for outreach efforts are: individuals with traumatic brain injuries, and individuals with psychiatric disabilities.

Outreach efforts will be statewide as these disability groups are unserved or underserved regardless of whether they reside in urban or rural areas of the State.

The unserved and underserved geographic areas to be targeted are North Central, South East, and South West Nebraska. There are 6 Counties in the North Central region that are currently not included in the service area of any CIL – Cherry, Brown, Rock, Holt, Boyd and Keya Paha. There are 5 Counties in the South East Nebraska that are currently not included in the service area of any CIL – Otoe, Johnson, Nemaha, Pawnee, and Richardson. Southwest Nebraska is served by a Center that does not receive any Part C funds. These counties are Banner, Box Butte, Cheyenne, Dawes, Deuel, Garden, Kimball, Morrill, Scotts Bluff, Sheridan, and Sioux.

Currently consumers in these unserved and underserved areas are provided IL services in the following ways:

- The League of Human Dignity conducts Medicaid Waiver Assessments for individuals in these Counties.
- The Assistive Technology Partnership completes barrier removal assessments for individuals in these Counties who are consumers of Vocational Rehabilitation and for individuals in need of Part B Independent Living services.

If an individual's needs, to include core services exceed those offered by the League of Human Dignity or the Assistive Technology Partnership the individual is referred to one of by the Centers for Independent Living Services.

The Center for Independent Living of Central Nebraska has established itinerant office locations in Western Nebraska which has ensured continued access to services in underserved parts of the State. This means staff meets with consumer at whatever location is convenient.

The SILC continues to look for qualified members to round out our membership. The application is posted on our website in both WORD and pdf documents. The website is routinely updated to share information.

SILC is scheduled to have displays at various State conferences to include the Annual Brain Injury Conference. The display includes brochures from the member organizations that make up the IL Network.

When excess Federal Funds have been distributed to bring all Part C CILs to a minimum funding

level of \$250,000.00, and additional Federal funds have been used to replace Part B funds currently going to the Part B Center, the IL Partners will determine if there continues to be unserved or underserved counties in the State of Nebraska. A new Part C Center will be established if appropriate.

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**

<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	\$7695	\$201,723 VR \$35,211 NCBVI	\$90,000 PILS	
Chapter 1, Part C			\$667,333 LHD \$136,272 CILNE	
Chapter 2, OIB (only those provided by the OIB grantee to further a SPIL objective)				
<b>Other Federal</b>		\$10,000 NCBVI	\$70,071 ARRA	

<b>Funds</b>		ARRA		
Sec. 101(a)(18) of the Act (Innovation and Expansion)	\$855			
Other	\$67,453			
<b>Non-Federal Funds</b>				
State Funds		\$21,279	\$10,000 PILS	
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	\$7695	\$201,723 VR \$35,211 NCBVI	\$90,000 PILS	
Chapter 1, Part C			\$667,333 LHD \$136,272 CILNE	
Chapter 2, OIB (only those provided by the OIB grantee to further a SPIL objective)				
<b>Other Federal Funds</b>			\$70,071 ARRA	
Sec. 101(a)(18) of the Act (Innovation and Expansion)	\$855			
Other	\$67,453			
<b>Non-Federal Funds</b>				
State Funds		\$21,279	\$10,000 PILS	
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	\$7695	\$201,723 VR \$35,211 NCBVI	\$90,000 PILS	
Chapter 1, Part C			\$667,333 LHD \$136,272 CILNE	
Chapter 2, OIB (only those provided by the OIB grantee to further a SPIL objective)				
<b>Other Federal Funds</b>			\$70,071 ARRA	
Sec. 101(a)(18) of the Act (Innovation and Expansion)	\$855			
Other	\$67,453			
<b>Non-Federal Funds</b>				
State Funds		\$21,279	\$10,000 PILS	
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.

The Nebraska IL Partners have collaborated to identify disability populations to prioritize for outreach, methods for identifying service gaps or service expansion needs.

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 League of Human Dignity and Center for Independent Living of Central Nebraska receive \$817,113 in regular Federal Part C funding and will use approximately \$70,071 in

ARRA per year of the SPIL.. The Panhandle Independent Living Services receives \$90,000 in Federal Part B funding and \$10,000 from State of Nebraska. The CILs use this funding for their basic operating expenses and to provide the federally mandated four core services to their consumer partners.

NCBVI has \$10,000 in ARRA funds to utilize in year 1 of the SPIL.

The SILC receives \$7566 .00 in Part B Funds and 68,437.00 in Title I funds for operational expenses and to carry out the SILC duties required by the Rehabilitation Act, including the activities, monitoring, and evaluation of the State Plan for Independent Living.

Assistive Technology Partnership receives \$224,137.00 in Part B funds and \$118,567.00 in Title I funds to provide funding for home modifications and assistive technology to consumers statewide.

NDVR and NCBVI collaborate with all of the Nebraska CILs and Assistive Technology Partnership to ensure there is no duplication of services,

Members of the IL Network through a collaborative process have developed this framework for services to people with disabilities in Nebraska. The IL Network continues to look for ways to expand our very limited resources.

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.

Not applicable for Nebraska

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

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 objectives in the Nebraska SPIL for years 2011 through 2013 are consistent with and further the purpose of Chapter 1 - Title VII of the Act, as stated in section 701 and 34 CFR 364.2 in the following ways:

- Maximize existing resources and identify opportunities for expansion of services resulting in a comprehensive statewide independent living service delivery system.

This ensures individuals with the most significant disabilities, regardless of minority status or geographic location have equal access to necessary services.

- Eliminate unnecessary duplication of effort by State Independent Living Service partners. This maximizes existing resources which will ensure not only sustaining the existing services but to expand upon them.
- Identify areas where through collaboration and taking advantage of each other's limited resources enables the State Independent Living Service partners to achieve common goals.
- Better ensure a more comprehensive assessment of consumer issues, concerns, and service needs occur than could be accomplished by any one partner alone.

The SPIL furthers the provision of information by collaboration among the IL network on training, the accuracy of information, and determining ways to address the need for services in unserved and underserved areas of the state

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.

Consideration of CIL priorities under section 725(c)(4) of the Act was ensured by the process established for the development of the SPIL. All CILs were invited to participate in quarterly meetings, one Part C CIL and the Part B CIL participated. with SILC development and review of the initial drafts, the IL Network was responsible for the Outreach focus that evolved. The plan is based solidly on that input. CILs assisted with and participated in the public meetings on the SPIL.

The IL Network meets at least once a year, and maintains regular communication via telephone & internet

#### 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 steps that will be taken to maximize the cooperation, coordination and working relationships among the SILS program, the SILC and Centers are:

- Meet with representatives of the IL Network at least annually
- Include CIL representatives on SILC committees
- Consult with IL Network on potential joint position statements on IL issues in Nebraska
- Routine sharing of information with the IL Network, including the SRC
- The CILs and DSUs will collaborate and coordinate to avoid any duplication of services while promoting consumer choice
- SILC will maintain a representative to the SRC and collaborate on activities as appropriate

#### 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.

The steps that will be taken to maximize the cooperation, coordination and working relationships among the DSUs, other state agencies represented on the SILC, other councils that address the needs of specific disability populations and issues, and other public and private entities include continuation of:

Representation of the DSUs on the SILC.

Representation of the SILC on the State Rehabilitation Council.

Representation of the SILC Executive Director and/or a SILC Board member on Nebraska Consortium of Citizens with Disabilities with other statewide disability organizations to promote community living.

Representation of the SILC on the Medicaid Reform Coalition with Appleseed, People in Need and Nebraska Advocacy Services to monitor Medicaid changes to ensure community living.

Continue to monitor Money Follows the Person, Aged & Disability Resource Center, AccessNebraska plus any other project developed in Nebraska to ensure IL remains a

viable option

Monitoring transition Programs introduced by organizations outside school districts, such Arc of Nebraska

### 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 Nebraska Commission for the Blind and Visually Impaired is charged with the administration of the older blind program. Towards the end of 2004, a committee was formed to consider ways to more effectively use diminishing resources to better serve older blind consumers. In fiscal year 2005, a curriculum-based group teaching approach was implemented in each of the three districts served by the Commission as a means of providing training in the alternative skills of blindness to older consumers. This program, called FYI (For Your Independence) in the North Platte District, GATE (Group Alternative Techniques Experience) in the Lincoln District, and SAIL (Senior Adventures in Independent Living) in the Omaha District, is designed to teach fundamental skills in the areas of orientation and mobility, communication, and activities of daily living. Training is provided to 4 to 6 participants during 3-day sessions held once a month over four consecutive months. Training is provided to two groups a year in each district. This approach to group teaching replaces Home Teaching Plus which brought a dozen or so seniors together from across the state for a week of training once a year in North Platte. The smaller programs initiated in each district has proven to be more cost effective while providing meaningful training to a larger number of senior blind. This approach provides the opportunity for consumers to network with each other, something not typically available with more traditional, one-on-one home teaching. It is also more attractive to many participants who can return home at the end of the day instead of traveling a long way and staying in a motel during a week of training. This group teaching approach to providing training does not replace the more traditional one-on-one home teaching of alternative skills. After a year of implementation, this approach seems to be working best in the Lincoln district. There have been more difficulties with this approach in the North Platte district where the more rural nature of the district has made it difficult to bring people together and maintain consistency in training. The Omaha district has experienced a lesser degree of difficulty, but this has been attributed more to significant staff turnover over the past year or so than with deficits with the approach itself. Overall, feedback from consumers and staff indicate that participants in curriculum-based group teaching receive better training than those who receive only home teaching and plans are to continue with it for the foreseeable future. Bob Deaton serves as the Program Manager of the Older Individuals who are Blind program as well as DSU representative on the SILC for the state agency for the blind. Mr. Deaton regularly reports to the SILC regarding services provided to older individuals who are blind.

**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: 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	X
- IL skills training	X	X	X
- Peer counseling	X	X	X
- Individual and systems advocacy	X	X	X
Counseling services, including psychological, psychotherapeutic, and related services	X		
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	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	X
Personal assistance services, including attendant care and the training of personnel providing such services			
Surveys, directories and other activities to identify appropriate housing, recreation, accessible transportation and other support services		X	X

<b>Table 2.1A: Independent living services</b>	<b>Provided by the DSU (directly)</b>	<b>Provided by the DSU (through contract and/or grant)</b>	<b>Provided by the CILs (Not through DSU contracts/ grants)</b>
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	X
Supported living			
Transportation, including referral and assistance for such transportation	X	X	X
Physical rehabilitation			
Therapeutic treatment			
Provision of needed prostheses and other appliances and devices			
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	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	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	X
Other necessary services not inconsistent with the Act	X	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.

The State Independent Living Service partners will collaborate to redirect the allocation of Part B funds as deemed necessary and appropriate to achieve the objective outlined in section 1.2 of the SPIL.

NESILC, CILs, and the DSUs will collaborate to maintain, expand, and sustain a comprehensive network of independent living services to address the needs of Nebraskans experiencing disabilities with emphasis on those currently unserved or underserved.

The unserved or underserved populations to be designated a priority for outreach efforts are: individuals with traumatic brain injuries, and individuals with psychiatric disabilities

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 following information is applicable to services provided by Assistive Technology Partnership (ATP)**

ATP is a service provider for the State of Nebraska. The ATP Funding Coordinator determines an individual or families required financial participation using the Financial Information on the Service and Device Application Form. The required participation in the cost of Part B services is determined based on the income and assets table in this section. Copies of the Service and Device Application Form are maintained in the consumer's file.

ATP policies and procedures ensure consideration of financial participation is applied uniformly so all individuals eligible for IL services are treated equally.

**Participation from income and assets**

Ten percent of the annual income above the threshold amounts must be applied toward the cost of those program services requiring financial participation. Twenty-five percent of the assets above the threshold amounts must be applied toward the cost of those program services requiring financial participation. Financial participation is required for home modifications and all assistive/rehabilitation technology.

The following table shows the financial participation thresholds for gross monthly income and assets. The gross monthly income threshold includes allowances for state and federal income tax, Social Security withholdings, and routine medical costs.

Family Size	1	2	3	4	5	6	7
Gross Annual Income	\$22,124	\$30,991	\$39,858	\$48,725	\$57,592	\$66,459	\$75,326
Assets	\$8,000	\$11,000	\$14,000	\$17,000	\$20,000	\$23,000	\$26,000

### **Participation from assets**

Financial participation from assets is based on those assets that are at hand or readily available to the person and family unit. These assets include-

- Cash, savings deposits, stocks, bonds, certificates of deposits, non-restricted trust funds or educational trust funds, and
- Any other liquid asset that can be converted to cash without incurring a substantial tax penalty for early withdrawal.

### **Do not consider any of the following assets**

- Capital assets such as real estate or personal property that must be sold or used as collateral to secure cash,
- Restricted trust funds,
- Retirement accounts (such as Individual Retirement Accounts), or
- Similar assets that cannot be withdrawn or converted to cash without incurring a substantial tax penalty.

### **Exceptions to financial participation**

The Assistive Technology Partnership, in consultation with the VR Independent Living Program Director, have the authority and discretion to grant reasonable exceptions to the amount of individual financial participation based on individual circumstances.

## **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.

The DSU grants Federal and State funds to Assistive Technology Partnership (ATP) for the provision of services. These services include: Advocacy, Assistive Devices, Children’s Services, Communication Services, Counseling Services, Home

Modifications, Information and Referral, Independent Living Training Services, Life Skills Training, Peer Counseling Services, Prosthesis, Rehabilitation Technology, Transportation, and Vehicle Modifications.

The determination of eligibility for services and the development of an IL plan for individuals who receive these services has been delegated to ATP.

## 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.

The DSU grants Federal and State funds to Assistive Technology Partnership (ATP) for the provision of services. These services include: Advocacy, Assistive Devices, Children's Services, Communication Services, Counseling Services, Home Modifications, Information and Referral, Independent Living Training Services, Life Skills Training, Peer Counseling Services, Prosthesis, Rehabilitation Technology, Transportation, and Vehicle Modifications.

The determination of eligibility for services and the development of an IL plan for individuals who receive these services has been delegated to ATP.

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 DSUs grant Federal and State funds to Panhandle Independent Living Services (PILS) for the purpose of general operation of a center.

The determination of eligibility for services and the development of an IL plan for individuals who receive these services has been delegated to PILS.

The other Nebraska CILs receive Part C funds and have the sole responsibility for the determination of eligibility for services and the development of an IL plan for all individuals served by their program.

## **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.

Center for Independent Living of Central Nebraska, Inc

Address 1 3204 College St  
Address 2 P.O. Box 1863  
City Grand Island  
State NE[ [Search Nebraska](#) ]  
Zipcode 68803-1730  
Toll Free Phone 877.400.1004  
Phone (308) 382-9255  
TTY/TDD (308) 382-9255  
Fax 308.384.7832  
Email [jthomas@cilne.org](mailto:jthomas@cilne.org)  
Website [www.cilne.org](http://www.cilne.org)  
Executive Director Ms. Joni Thomas

Geography:

Counties served by Center for Independent Living of Central Nebraska: Adams, Arthur, Blaine, Buffalo, Chase, Clay, Grant, Custer, Dawson, Dundy, Franklin, Frontier, Furnas, Garfield, Greeley, Gosper, Hall, Hamilton, Harlan, Hayes, Hitchcock, Hooker, Howard, Kearney, Keith, Lincoln, Thomas, Logan, Loup, McPherson, Merrick, Nucholls, Perkins, Phelps, Red Willow, Webster, Wheeler, Sherman, Valley.

Panhandle Independent Living Services

Address 1 PO Box 2454  
Address 2  
City Scottsbluff  
State NE[ [Search Nebraska](#) ]  
Zipcode 69363-2454  
Toll Free Phone  
Phone (308) 635.7901  
TTY/TDD (308) 635.7901  
Fax 308.635.7676  
Email [pils@allophone.com](mailto:pils@allophone.com)  
Website

Executive Director Ms Carolyn Foged

Geography:

Counties served by Panhandle Independent Living Services: Banner, Box Butte, Cheyenne, Dawes, Deuel, Garden, Kimball, Morrill, Scotts Bluff, Sheridan, Sioux.

League of Human Dignity, Inc.

Address 1 1701 P Street  
Address 2  
City Lincoln  
State NE  
Zipcode 68508  
Toll Free Phone (888) 508-4758  
Phone (402) 441-7871  
TTY/TDD (402) 441-7871  
Fax (402) 441-7650  
Email [info@leagueofhumandignity.com](mailto:info@leagueofhumandignity.com)  
Website [www.leagueofhumandignity.com](http://www.leagueofhumandignity.com)

Executive Director Mr. Mike Schafer

Geography: Serves counties in both Nebraska and Iowa

Counties served by League of Human Dignity: Cass, Cedar, Colfax, Cuming, Dakota, Dixon, Dodge, Douglas, Fillmore, Gage, Jefferson, Knox, Lancaster, Madison, Nance, Pierce, Platte, Polk, Saline, Sarpy, Saunders, Seward, Stanton, Thayer, Thurston, Washington, Wayne, York, Antelope, Boone, Burt, Butler.

### 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 unserved or underserved populations to be designated a priority for outreach efforts are: individuals with traumatic brain injuries, and individuals with psychiatric disabilities.

Outreach efforts will be statewide as these disability groups are unserved or underserved regardless of whether they reside in urban or rural areas of the State.

The unserved and underserved geographic areas to be targeted are North Central, South East, and South West Nebraska. There are 6 Counties in the North Central region that are currently not included in the service area of any CIL – Cherry, Brown, Rock, Hold, Boyd and Keya Paha. There are 5 Counties in the South East Nebraska that are currently not included in the service area of any CIL – Otoe, Johnson, Nemaha, Pawnee, and Richardson. The South West of Nebraska is served by a center that does not receive any Part C funds.

The consumers in these unserved and underserved areas are provided IL services in the following ways:

- The League of Human Dignity conducts Medicaid Waiver Assessments for individuals in these Counties.
- The Assistive Technology Partnership completes barrier removal assessments for

individuals in these Counties who are consumers of Vocational Rehabilitation and for individuals in need of Part B Independent Living services.

Through the provision of these services individuals found to be in need of more extensive services to include core services provided by the Centers for Independent Living would be referred for those services. Those services would be provided on an itinerate basis.

During the past year the Center for Independent Living of Central Nebraska established several satellite offices in western Nebraska. This has better ensured independent living services are available to underserved parts of the State. Although these offices have recently been closed itinerate office locations have been established throughout the center's catchment area which has ensured continued access to services in underserved parts of the State.

Part B funding will be distributed to fund the NESILC, the Panhandle Independent Living Services (PILS) and the Assistive Technology Partnership (ATP) to provide IL services. Nebraska Vocational Rehabilitation will use Title I funds to meet its financial obligation to support the NESILC. This frees up the limited Chapter I Part B funds to use for direct client services.

The Part C funds will continue to be distributed to the Centers for Independent Living in Nebraska (League of Human Dignity and the Center for Independent Living of Central Nebraska) based on the current distribution percentage. That percentage is 84.5 percent for the League of Human Dignity and 15.5 percent for the Center for Independent Living of Central Nebraska. This distribution formula will also apply to the American Recovery and Reinvestment Act of 2009 (ARRA) Part C funds and any additional funds made available during the period of this SPIL. If any Center would exceed the minimum funding level during a fiscal year, the formula would be re-evaluated.

When excess Federal Funds have been distributed to bring all Part C CILs to a minimum funding level of \$250,000.00 and additional federal funds have been used to replace Part B funds currently going to the Part B Center, the IL Partners will determine the need for a new Part C Center based on remaining unserved or underserved counties in the State of Nebraska.

### 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.

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.

Not applicable

#### **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.

Dennis King, Program Director for Independent Living Services, serves as liaison to the SILC for Nebraska Vocational Rehabilitation. In that capacity he attends all quarterly meetings, serves on the Advocacy and Resource Development Committees, and assists with the preparation and submittal of the 704 Report and the SPIL.

VR Program Specialist reviews the quarterly progress and expenditure reports submitted by the PILS and SILC and processes quarterly payments to them.

VR Fiscal Specialist conducts on site audits on a quarterly basis for the PILS. SILC submits a copy of financial records to VR Fiscal Specialist for quarterly audit. He also provides technical assistance as requested.

Bob Deaton, Deputy Director of Independent Living Services, represents the Nebraska Commission for the Blind and Visually Impaired (NCBVI) at quarterly meetings of the SILC and serves on the SILC Executive Committee. He also directs the Part B program as administered by NCBVI. Three field supervisors and 16 rehabilitation counselors and teachers provide direct independent living services to consumers

Funding Coordinator for ATP determines eligibility for and allocates Title VII, Chapter I, Part B funds for approved projects.

Rehabilitation Associate for ATP provides assistance in processing applications for services and general clerical support for the Title VII, Chapter I, Part B program.

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

Not applicable in Nebraska

## 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 SILC receives:

\$7695 .00 in Part B Funds

\$67,453.00 in Title I Funds

\$855.00 from sec. 101 (a)(18) of the Act Innovation & Expansion) funds

This is for operational expenses and to carry out the SILC duties required by the Rehabilitation Act, including the activities, monitoring, and evaluation of the State Plan for Independent Living.

The SILC provides all meeting space & Council membership provides the human resources needed for all SPIL related activities

NESILC staff shall include one part-time Executive Director and one part-time Administrative Assistant. In addition NESILC will work with an accountant/bookkeeper for accounting duties.

The Executive Director will be hired by the Council. NESILC Executive Committee Chair provides supervision of the Executive Director. The Executive Director's annual performance appraisal will be the responsibility of the Executive Committee. The Executive Director will hire, supervise, and annually evaluate all other staff.

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.
- Non-inclusion of conditions or requirements in the SILC resource plan that may compromise the independence of the SILC.
- Reliance, to the maximum extent possible, on the use of resources in existence during the period of implementation of the State plan.

NESILC will continue to outsource specific accounting procedures that enhance internal control of the small agency. NESILC will continue to make records available to the Vocational Rehabilitation Fiscal supervisor for on-site reviews of compliance with the award agreement.

The SILC was established to meet the requirements of the Rehabilitation Act, Title VII, Chapter 1 as amended in 1992. Given the fact that the SILC was created by federal legislation, a state law or governor's executive order was not used to establish a SILC in Nebraska. The SILC operates as an autonomous, free standing entity whose members were appointed by the Department of Education (Governor's designee). It developed bylaws consistent with mandates of Title VII and took on full partnership with the DSUs in developing, implementing, and monitoring the SPIL. In order to more clearly define its rather nebulous legal standing, the Nebraska SILC incorporated and became a 501(c)3 in the 2003. Although the SILC is now a non-profit corporation, the members continue to be appointed by the Department of Education, based upon all the requirements in the federal Rehabilitation Act. The Nebraska SILC is an independent entity with respect to the DSUs and all other state agencies.

Maximize existing resources and identify opportunities for expansion of services resulting in a comprehensive statewide independent living service delivery system. This ensures individuals with the most significant disabilities, regardless of minority status or geographic location have equal access to necessary services.

Eliminate unnecessary duplication of effort by State Independent Living Service partners. This maximizes existing resources which will ensure not only sustaining the existing services but to expand upon them.

Identify areas where through collaboration and taking advantage of each other's limited resources enables the State Independent Living Service partners to achieve common goals.

Better ensure a more comprehensive assessment of consumer issues, concerns, and service needs occur than could be accomplished by any one partner alone

## 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 SILC was established to meet the requirements of the Rehabilitation Act, Title VII, Chapter 1 as amended in 1992. Given the fact that the SILC was created by federal legislation, a state law or governor's executive order was not used to establish a SILC in Nebraska. The SILC operates as an autonomous, free standing entity whose members were appointed by the Department of Education (Governor's designee). It developed bylaws consistent with mandates of Title VII and took on full partnership with the DSUs in developing, implementing, and monitoring the SPIL. In order to more clearly define its rather nebulous legal standing, the Nebraska SILC incorporated and became a 501(c)3 in the 2003. Although the SILC is now a non-profit corporation, the members continue to be appointed by the Department of Education, based upon all the

requirements in the federal Rehabilitation Act. The Nebraska SILC is an independent entity with respect to the DSUs and all other state agencies.

### 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).

#### Recruitment Policy

The Nebraska Statewide Independent Living Council shall be composed of individuals who provide statewide representation; represent a broad range of individuals with disabilities from diverse backgrounds; are knowledgeable about centers for independent living and independent living services; and a majority of whom are persons who are individuals with disabilities as described in section 7(20)(B) of the Rehabilitation Act and not employed by any State agency or center for independent living.

1. The Recruitment Committee will meet prior to each quarterly meeting of the full Council to determine the ongoing need for people to sit on the Council as voting members.
2. Whether or not there is a position to be filled, the Recruitment Committee will engage in a continuous process to recruit individuals to serve as voting members of the Council.
3. Upon receipt of an application, the recruitment committee will engage in the following activities:
  - a. Review status of all applications, new and existing.
  - b. Contact applicant(s) to determine a time and method to interview the prospective member using a form approved by Executive Committee. Each applicant will be given an interview.
  - c. Discuss applicants' qualifications and interview.
  - d. Recommend prospective candidates to the full Council.
  - e. Report on recommendations at the full Council meeting.
4. The full NESILC board will then vote on whether to forward the applicant's name on to the Nebraska Department of Education (Department) for appointment. Candidates will then be informed of their application status.
5. After the Department votes, candidates will be informed of either their acceptance or rejection. Successful candidates will be sent orientation and training materials prior to their first full council meeting as a NESILC member.
6. Each member of the NESILC shall serve a term of 3 years. No member of the NESILC may serve more than two consecutive full terms. NESILC and DSUs maintain a roster of the NESILC membership to include their term expiration date. At least once a year the

NESILC reviews this information to ensure proper and sufficient notification is provided to the member regarding their impending expiration date.

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

#### 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.
- 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.

NESILC staff shall include one part-time Executive Director and one part-time Administrative Assistant. In addition NESILC will work with an accountant/bookkeeper for accounting duties.

The Executive Director will be hired by the Council. NESILC Executive Committee Chair provides supervision of the Executive Director. The Executive Director’s annual performance appraisal will be the responsibility of the Executive Committee. The Executive Director will hire, supervise, and annually evaluate all other staff.

NESILC agrees that DSU staff or staff from any other agency or office made available to NESILC will not be assigned any duties that would create a conflict of interest while assisting the NESILC in carrying out its duties

### **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.

ATP maintains detailed job descriptions for specialists in the provision of the contracted services for assistive technology and home modifications for independent living and employment.

ATP, as a state agency and as a federally funded Tech Act Program, has a policy emphasizing recruitment of qualified persons with disabilities for project positions. New position openings are posted with centers for independent living, rehabilitation agencies, and service providers working with persons with disabilities in an effort to identify potential qualified persons with disabilities interested in project positions.

ATP has personnel able to communicate in a wide variety of alternative communications modes. These include sign language, augmentative communications devices (maintaining many devices for short term loans to individuals), and amplification systems. ATP provides information and materials in alternative formats as necessary, including electronic formats and Braille (via an agreement with NCBVI). ATP utilizes the AT&T Language line services for communication with non-English speaking individuals over the phone, and contracts with sign and foreign language interpreters as necessary for face to face meetings. Written materials are available in several non-English languages.

Several of ATP staff, including the Director, have previous experience working for a CIL and have knowledge of and practice in the IL philosophy.

PILS staff members will possess a procedure manual for their positions. Staff members will participate in training on independent living issues, record keeping and adult learning on an ongoing basis. Composition of the Staff will continue to meet the criterion of at least 51% individuals with disabilities.

PILS staff will continue to meet requests to accommodate communication needs through electronic media, modified print materials, and the use of sign language interpreters; and will consult appropriate community resources when necessary.

PILS will maintain an affirmative action policy of nondiscrimination as set forth in its statement of values, statement of consumer rights, and employee handbook; and will post position openings with public news media, Vocational Rehabilitation, and Nebraska Workforce Development.

NESILC will continue to outsource specific accounting procedures that enhance internal control of the small agency. NESILC will continue to make records available to the Vocational Rehabilitation Fiscal supervisor for on-site reviews of compliance with the award agreement.

The Center for Independent Living of Central Nebraska (CILNE) staff have in their possession their Job Descriptions and the CILCN Policy and Procedure Manual. All staff are trained about the Independent Living Philosophy and the use of People First Language. CILNE staff are made aware of various training and workshops about Independent Living, including various WEB casts

presented by ILRU.

If requested CILNE staff make available to consumers alternative formats to include: Braille, Sign Language Interpreters, and other formats as necessary. CILNE also works with the community on various formats as needed.

The League of Human Dignity has appropriate policies, procedures, and systems in place to assure compliance with all applicable federal laws and regulations.

## 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.

ATP, within the Nebraska Department of Education, is the recipient of numerous Federal and state grants and contracts. Consequently, it has established and maintains general grants management policies, procedures, and practices that are in full compliance with all Federal requirements in EDGAR. These policies include an annual audit by the Nebraska Auditor of Public Accounts to assure proper fiscal management and accounting.

PILS will make records available to the Vocational Rehabilitation Fiscal supervisor for on-site reviews of compliance with the award agreement.

CILNE has appropriate policies, procedures, and systems in place to assure compliance with all applicable federal laws and regulations.

The League of Human Dignity has appropriate policies, procedures, and systems in place to assure compliance with all applicable federal laws and regulations.

## 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.

The Nebraska Department of Education (which includes VR and ATP) has adopted special fiscal control and accounting procedures as are necessary to ensure proper disbursement of and accounting for funds expended under the its programs, including those expended for Part B. These special procedures will include provisions that all funds will be expended in accordance with the provisions of this program and for authorized activities included in the approved

contract for services and Part B Guidelines.

ATP also meets regularly with the VR IL Program Director to report on performance and finances.

PILS submits quarterly performance and financial reports. DSU reviews actual expenditures twice yearly and reconciles statements.

CILNE has policies and procedures in place to ensure compliance with 34 CFR 364.37.

The League of Human Dignity has appropriate policies, procedures, and systems in place to assure compliance with all applicable federal laws and regulations.

#### 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.

ATP administers the Part B services in compliance with Part B Guidelines approved by the Nebraska Statewide Independent Living Council. The guidelines for eligibility are in compliance with 34 CFR 364.51 and are without regard to age, color, creed, gender, national origin, race, religion, or type of significant disability of the individual applying for IL services. ATP routinely refers individuals to other programs for IL services. This ability is enhanced through another contract with the Nebraska Health and Human Services System for assistive technology and home modifications services under the Medicaid Aged and Disabled Waiver. The intent of this Waiver is to allow individuals with disabilities at risk of institutionalization to remain living as independently as possible in their own homes.

Any individual with a significant disability, as reported by that individual, will be eligible for PILS services. Staff will discuss eligibility requirements with the consumer or advocate and record eligibility without regard to age, color, creed, gender, national origin, race, religion, or type of significant disability of the person applying for IL services.

PILS staff will continue to receive requests for information from any person regarding PILS and other available programs, and make referrals to other programs. Staff will provide that information through verbal consultation, printed material supplied by other programs, and directories. PILS will continue to print and update a Panhandle Disability Resource Directory.

The other Nebraska CILs receive Part C funds and have the sole responsibility for the determination of eligibility for services and the development of an IL plan for all individuals served by their program.

#### 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.

ATP provides or contracts for IL services based on an IL plan comprised of a Service and Device Application Form (that outlines the requested services, available resources, and demographic and financial information); a Technology Specialist evaluation report (that includes input from the consumer as to what is needed and why, recommendations and justification, a plan and specifications as necessary); cost of the services and available resources (subcontractor quotes and a Service Authorization); and an Acceptance/Agreement form that is signed by the consumer (to signify that the services have been satisfactorily completed).

Unless the individual signs a waiver, PILS staff will provide IL services in accordance with a written IL plan developed by the individual with a significant disability and the staff member, indicating the goals, objectives and services requested. The plan will be periodically reviewed regarding the continued relevance of services and the appropriateness of referral to other programs. To the greatest extent possible, the plan will be coordinated with the individualized plans of other service programs.

The other Nebraska CILs receive Part C funds and have the sole responsibility for the determination of eligibility for services and the development of an IL plan for all individuals served by their program

#### 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.

ATP informs all individuals seeking or receiving IL services under Part B of the availability of the CAP program and how to contact CAP.

PILS will inform individuals seeking or receiving IL services of the availability of the Client Assistance Program, the purpose of their services, and how to contact the program, through the

provision of CAP printed brochures or a PILS statement of Consumer Rights and Responsibilities.

The Nebraska CILs inform all individuals seeking or receiving IL services of the availability of the Client Assistance Program, the purpose of CAP services, and how to contact the program. On an annual basis the CAP director contacts the CILs to remind them of the services, answer any questions, respond to any issues, and provide training to any new staff members.

#### 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.

ATP uses the Service and Device Application Form as an intake form and that form includes a confidentiality statement and a release of information that is signed by the consumer and kept in the consumer file.

PILS will include confidentiality issues in new staff orientation and periodically in staff meetings of all employees. A statement regarding confidentiality will be included in all staff position manuals. PILS will maintain consumer records within closed units accessed only by staff. Records will not be removed from the PILS office. Consumers will be informed that staff will not release individual information without a signed release of information. The release will specify the information to be released, the receiving agency, and the authorization's date of expiration.

The CILs have appropriate policies, procedures, and systems in place to assure compliance with all applicable federal laws and regulations to include 34 CFR 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 NESILC staff and the SPIL Committee will complete a quarterly performance report looking at each Goal and Objective to determine what progress has been made. These reports will be distributed to all NESILC Members, the DSUs, and the Independent Living Partners at the quarterly NESILC meetings.

Each Goal will receive a NESILC committee assignment. The committee will be responsible for implementing that Goal and Objectives. The committee chair will provide the full Council with a written and/or oral report of that progress at the quarterly NESILC meetings.

The State evaluates satisfaction of individuals with significant disabilities who have participated in the program in the following ways:

- ATP obtains a signed Acceptance and Agreement form to ensure work planned for has been completed to the satisfaction of the consumer. The consumer signs off on the form prior to payment to the contractor or vendor for the agreed upon services. In an effort to further evaluate the effectiveness of the plan and services provided to meet the consumers' objectives ATP sends out a questionnaire six weeks after a request is completed. This information is compiled and evaluated quarterly. The return rate ranges from 50-60%.
- PILS mails a printed survey to consumers once during the year addressing satisfaction with service, staff, and the facility. Participants in PILS advocacy and skills workshops, informative presentations, and the annual Joint Agency Meeting are asked to complete written evaluations at the time of the event. The questionnaires ask for ratings and comments on content, format and the facility. PILS staff instructors have ongoing informal conversations with consumers, which include evaluation, choice of instruction, and relationship to other community services.
- CILNE on an annual basis mails stakeholders surveys to consumers and agencies to gather feedback regarding satisfaction with services delivered.
- League of Human Dignity solicits consumer satisfaction through the use of consumer satisfaction surveys which are distributed to all consumers whether CIL or other program.

### **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)

Not applicable in Nebraska