

Statewide Independent Living Council (SILC)
MINUTES
June 1, 2016
Governor's Inn of Pierre

MEMBERS PRESENT: Clarke Christianson, Gillian Plenty Chief, Craig Eschenbaum, Sarah Rush, Vicki Kerkvliet, Bernie Grimme, Sandy Neyhart, Vona Johnson, Dave Miller, Monte Tschetter; Dave Scherer, Steve Stewart and Isabel Trobaugh. **MEMBERS ABSENT:** Chuck Quinn, Katie McOwen, Tammy Kabris and Marla Bull Bear. **OTHERS PRESENT:** Rich Eschenbaum, interested observer; Chad Ratigan, WRIL Director; Ronda Williams, DRS IL Program Specialist; Matt Cain, ILC Director; Cole Uecker, CAP Director; Gaye Mattke, DSBVI Division Director; and Shelly Pfaff, SILC Staff. Interpreters were Kasey Entwistle and Julie Paluch.

OPENING ACTIONS: Craig called the meeting to order at approximately 8:35 a.m. by welcoming everyone and inviting them to introduce themselves. Upon the completion of introductions, Craig asked if there were any changes to the printed agenda. Hearing none – **MOTION TO APPROVE THE AGENDA AS PRINTED – MADE (M), SECONDED (S) AND CARRIED (C).** APPROVAL OF MARCH MINUTES – Craig asked for any changes to the “draft” minutes from the March meeting. Hearing none – **MOTION TO APPROVE THE MARCH MINUTES – MSC.** APPROVAL OF APRIL EXECUTIVE COMMITTEE MINUTES – Craig called for any changes to the April Executive Committee Minutes. **MOTION TO APPROVE THE APRIL EXECUTIVE COMMITTEE MINUTES – MSC.**

PUBLIC COMMENT PERIOD: Craig inquired if anyone in attendance wished to make public comments at this time. No one indicated a desire to do so.

2017 – 2019 SPIL: Craig indicated that the next portion of the meeting was to focus on the review of the draft State Plan for Independent Living (SPIL), and he invited Shelly to begin this portion of the conversation. Shelly shared two documents – one laid out a timeline of steps taken to garner public input (see attached) and the second one referenced comments which had been received from a few SILC members and a letter seeking public comments from the Director of the Client Assistance Program (see attached). She also covered the outcome of the public meeting and shared information relating to this process (back of the

steps to garner public input document). Next, Craig invited Dave (M) to give a report of the work completed by the SPIL Committee. Dave reported that the committee had worked on goals and objectives relating to housing and transportation barriers encountered by people with disabilities seeking to live independently, and how their recommended language addressing these systemic challenges was incorporated into the draft SPIL. He further reported out in relation to some recommended language coming from SILC members – some of which was included in the draft SPIL and other which was not. A lengthy dialogue followed on these items:

- One recommendation was that it would be best if SILC Staff support was paid out of IL Part B funds rather than other sources e.g., Title I Innovation and Expansion. Doing so could help to ensure that if relationships, the landscape changed in a negative way between key stakeholders, then the SILC would still have more direct say over the funds providing their staff. Once it became known and understood that to use Part B funds would result in a reduction of IL services to people served, because funding presently used in support of staff cannot be used for direct IL services, this recommendation was withdrawn.
- Another recommendation was that an additional example of staff activities should be added to the current listing – “Conduct research, gather information and meet with collaborating organizations to assist the Council to accomplish its goals and objectives.” During an earlier SPIL Committee meeting it had been communicated that this had not been included in the draft SPIL. When SILC staff reviewed the draft document prior to this meeting, she noted that it had been included in the draft. There was still extensive dialogue on this matter resulting in a revision to the language so it reads, “Conduct research, gather information and meet with collaborating organizations to assist the Council to accomplish its goals and objectives, as directed by the SILC.”
- A third recommendation was made for the SILC to fund or develop a directory of gas stations in South Dakota that provide assistance at the gas pump for individuals with disabilities. This recommendation was not included, not because it was not seen as an idea that warrants merit, rather because it was seen more as an activity than as a goal or objective. Since that recommendation was made, the Department of Human Services has published information related to this issue on their website. Consensus was that once the SPIL is approved, the SILC may identify steps it can take to support this effort to educate people to the available accommodation.

At this time, Craig asked Bernie to provide the input from the Consumer Services Workgroup in relation to "Section 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." Bernie explained how the Workgroup reviewed various 704 Report data, and he referenced information from a couple of documents that had been mailed out earlier relating to the 15 counties identified as receiving the lowest level of IL services when compared to their population. He also referenced three county groupings considered underserved – (1) counties near or on Native American Reservations; (2) counties in the Southwest corner of SD; and (3) Counties in Central SD. Bernie also reviewed a document which first contained the current language in this section of the SPIL, and the proposed language from the Workgroup. Some conversation followed on the imperfection of 'data' and how future efforts might look at additional data elements to ensure the SILC is seeing a broad picture of needs. **MOTION TO REPLACE CURRENT LANGUAGE FOR SECTION 1.2B IN THE DRAFT SPIL WITH THE RECOMMENDED LANGUAGE (SEE ATTACHED) – MSC.**

Craig announced a 15 minute break at this point. The meeting reconvened at approximately 10 a.m.

SILC Staff indicated that Section 6.1 was a part of the SPIL for which Ronda had taken the lead on gathering input from the CIL Directors. Craig invited Ronda to address this section of the draft SPIL and recommended changes to it. Ronda explained that she and SILC Staff had felt it was important for CIL Directors to provide information on how they carry out the various responsibilities under this section of the SPIL. She emailed the directors, and she received responses from the ILC and WRIL directors. As a result, she presented a document which showed both the current language in "Section 6.1 Staffing" and recommended new language (see attached). The new language is verbiage provided by the responding CIL Directors. After some conversation about the lack of response from the NAAP director, consensus was that the SPIL would be submitted with the information which was received by the identified due date. SILC Staff brought up that with the recommended changes, she was wondering if the portion under the first bullet of this section needed revision. After some discussion, Ronda and Shelly were directed to work over lunch at drafting some language to replace

what currently exists in this portion of "6.1 Staffing". Further action on the SPIL was tabled at this time until after lunch.

PROPOSED BYLAW CHANGE: Staff handed out a copy of the bylaws with the proposed change, which had been shared at the last SILC meeting. She explained that the SILC was now able to act on this change, if they wished to do so. The change will result in two members at large on the SILC Executive Committee.

MOTION TO ADOPT THE PROPOSED BYLAW CHANGE TO ADD A SECOND MEMBER-AT-LARGE TO THE SILC EXECUTIVE COMMITTEE – MSC.

Staff then indicated that the current Member-at-Large position is filled by Vicki, whose term is due to end as of June 30th. If the SILC wished to do so, they had the ability to elect a new Member-at-Large at this time, and thus there would continue to be three members on their Executive Committee after Vicki's term ends until the next meeting following appointments to fill vacancies. Craig asked if there were any members interested in serving as a Member-at-Large. Sarah volunteered; he asked if there were any other interested members.

MOTION TO CLOSE NOMINATIONS AND BY UNANIMOUS VOTE ELECT SARAH RUSH AS A MEMBER-AT-LARGE TO THE SILC EXECUTIVE COMMITTEE – MSC.

Sarah was congratulated on election and thanked for her willingness to serve in this role.

WORKGROUP UPDATES: Craig turned to Bernie for the first report.

CONSUMER SERVICES – Bernie shared that he didn't have anything further to share at this time. Their recent focus has been on the portion of the SPIL relating to unserved and underserved population. He did share that they could use some additional members on their workgroup. HOUSING – Vona shared that she and Craig are the only two members on this workgroup. They have not met since the last meeting. She did share information from the housing world relating to the 811 Grant being worked on, including the impact of conflict free case management on the roll-out of this grant. She spoke of housing's commitment to making safe, affordable housing a reality for those wanting it. There was some conversation about the housing needs of portions of the disability community beyond those with developmental disabilities. There was also conversation about how the SILC maybe has not done its job well in speaking to the needs of the broader disability community to ensure that those who have more resources do not keep getting more, while others who have less do not get more resources. Dave (M) volunteered to join the Housing Workgroup. Vona thanked him and invited others

to be a part of the workgroup. OUTREACH/PUBLIC AWARENESS – Sandy provided this report. She explained the process the Workgroup followed in inviting nominations for the 2016 Champions of IL Awards, reviewing those nominations and reaching their recommendations for award recipients to pass along to the SILC. There were two nominations for the Organizational Award – the Workgroup recommended the Remember Program of Pine Ridge to be this year’s recipient. There were three nominations for the Individual Award – the Workgroup recommended Jim Caugherty for the Individual Award. Sandy shared some of the reviewer comments which led to their recommendations. **MOTION TO ACCEPT THE WORKGROUP’S RECOMMENDATIONS FOR THE 2016 CHAMPIONS OF INDEPENDENT LIVING SERVICES AWARDS – REMEMBER PROGRAM AND JIM CAUGHERTY – MSC.** Sandy then asked how the SILC would like to proceed with the award ceremonies. After some conversation, the Workgroup was directed to go ahead and work with the recipients and the CIL Director who nominated them to determine what would be the best opportunity to provide each award. Staff will assist the workgroup in getting the awards produced and ready for their presentation. The final item Sandy addressed was the process for gathering IL Success Stories. The idea was shared with staff at the CIL Staff Training, and their response was very positive. The next step will be to work with Directors to see what process might be best for gathering these stories and working with staff to develop them. Craig thanked the Workgroup chairpersons for their reports.

Craig announced a break for lunch, and asked that everyone be back to reconvene at 1 p.m.

2017 – 2019 SPIL (CONTINUED): Upon reconvening the meeting, Craig asked Staff to report out the language drafted for the first portion of “6.1 Staffing”. Shelly read the following, “The policy of the Statewide Independent Living Council is that South Dakota centers for independent living will employ personnel committed to the continued development and provision of quality independent living services and the goals and work of centers for independent living.” Some discussion followed, and one resulting change was to remove the word “policy” and replace it with the word “direction”. With that change, **MOTION TO ADOPT THE PROPOSED LANGUAGE FOR “6.1 STAFFING” AS PRESENTED TODAY – MSC (SEE ATTACHED).**

Next, Shelly brought the SILC's attention to the second bullet under "5.1B Describe how the following SILC resource plan requirements will be addressed – Non-inclusion of conditions or requirements in the SILC resource plan that may compromise the independence of the SILC." She shared that the current draft plan has "N/A" in that space yet a SILC member had recommended the following language: "There are no conditions or requirements in the SILC Resource Plan that would compromise the independence of the SILC. The purchase of service agreement providing staff support for the SILC is administered by the DSE. The SILC executive committee reviews and approves the statement of work prior to the contract bid letting. The DSE consults with the IL Council Chairperson prior to approving the contract. Any contract or budget amendments affecting the Council are reviewed and approved by the Council executive committee and reported to the full Council." Discussion followed addressing how difficult it would be to assure that the SILC was independent in their role of directing and overseeing staff, if language such as this is not within the SPIL. This language would ensure a process is in place where the SILC is part of selecting, evaluating and amending arrangements for staff support, and it lays out a foundation for that process.

MOTION TO APPROVE THE ADDITION OF THIS LANGUAGE TO 5.1B (SECOND BULLET) – MSC.

At this time, Shelly asked Ronda if she was aware of any other portions that needed to be reviewed or changed; Ronda indicated she was not aware of any. There was consensus that there are some 'minor spelling/editorial changes' that will need to be made and staff will make those changes prior to the submission of the SPIL. **MOTION TO APPROVE THE SPIL WITH THE REVISIONS**

APPROVED DURING TODAY'S MEETING – MSC. Ronda and Shelly will make the approved revisions, and then the document will be circulated for the needed signatures e.g., SILC Chairperson, CIL Directors and DSE Director. Once the needed signatures have been secured, the document will be submitted to ACL. Once approved, the SPIL will be posted on the DHS website, and announcement of its availability will be posted on other websites and via social media. Once ACL approval has been received, the final document will be posted and announced in likewise fashion.

Craig thanked the SPIL Committee, the Consumer Services Workgroup, the entire SILC and staff – Ronda and Shelly – for all their work on the SPIL.

DRS REPORT: DIRECTOR'S COMMENTS – Bernie provided this report, and in support of his report several items were handed out, which had not been sent out earlier e.g., DRS Summary of Reports and related reports and a report on the status of CIL contracts (see attached). During his comments, he also addressed two documents mailed out earlier – IL Fund Sources for SFY2017 and BVR/SILC Support Agreement Budget – Attachment 3. HMAD – Bernie reported that there had been a dramatic increase in requests for this program. One reason is WRIL did not receive funding from one source that in the past had assisted with major home modification projects. WRIL is going to pursue those funds during the coming cycle. In the meantime, DRS had to put a hold on approving any more requests from WRIL through the end of the current contract year. Annually, estimated unspent state funds from the ADLS program are redirected towards the HMAD program, and it is anticipated that NAAP will have some unused state funds this current contract year that will be directed to that program at the end of the current contract year. In reviewing the document showing the status of the CIL contracts, a conversation followed on how the SILC might be involved in determining how available resources are directed to meet independent living needs. Bernie explained that depending on the funding source, there are some limitations on the length of funds being available following the end of a funding cycle, as well as the purposes for which they can be spent. It was suggested that the SILC Consumer Services Workgroup look at this as one of their focus areas in the coming year and bring forward recommendations to the full SILC. It was also suggested that the SILC begin a conversation on this topic at their September meeting. Bernie will be providing the Status of CIL Contracts Report to the SILC on a quarterly basis. This information will be helpful in conversations about anticipated available funds at the end of funding cycles and possible redirection of those funds. CIL REVIEWS – Bernie reviewed both the dates and the outcomes of the DSE annual reviews of two CILs. The ILC review was completed on March 8th and 9th with 123 cases reviewed, along with other documentation. The NAAP review was completed on February 26th with 16 cases reviewed and related program documentation. The WRIL review was reported on at an earlier SILC meeting. Final reports were issued for all the CIL reviews. Some activities resulting from the CIL reviews have been, or will be, working with NET CIL to adjust the system to better meet CIL data reporting needs, exploring coding related to transition services since reauthorization breaks this service down into transitioning out of nursing facilities, deferring from nursing facilities and transitioning from secondary education to post-secondary education, use of ILPs vs Waivers. Bernie

also reported that DRS has awarded some agreements relating to the provision of self-advocacy training under a summer initiative, and he identified five recipients – ILC, Lewis & Clark Behavioral Health, Career Connections and two private providers. SILC STAFF SUPPORT AGREEMENT – Bernie had sent out this document, and at this time he explained that the current agreement is in its fifth and final year. The budget document is based on the legislature providing a 2.7% inflationary increase, as well as some adjustments in line items based upon expenditure levels reported by staff and recommended resulting adjustments. Contracts are presently being circulated for signatures. He anticipates that early next year DRS will begin working on the RFP process for SILC and BVR Staff Support. He spoke to changes that are being implemented with all State contracts due to recent situations in SD relating to contracted services and changes in federal regulations.

DSBVI REPORT: DIRECTOR'S COMMENTS – Craig turned to Sandy for this report. Sandy turned to Gaye Mattke, Division Director, to begin the report. Gaye addressed a few items relating to transition services and their Board of Service to the Blind and Visually Impaired. She reported that they have been working on efforts to increase visibility and outreach in the area of pre-employment transition services, which presents a bit of a different challenge to them since many of those they serve are of an older age. They have developed a brochure specific to pre-employment transition services, and they are in the process of making this available to school counselors and others in an effort to reach younger students with blindness or visual impairments. Gaye also reported that the Division, via the SD Rehabilitation Center for the Blind, will be hosting a week of transition services training at the Rehabilitation Center the last week of June. They expect 8 to 10 students to participate in this week long opportunity. Gaye also reported that the Board of SBVI is scheduled to meet at the Rehabilitation Center for the Blind on June 10th for its next quarterly meeting. At this time, Gaye turned the reporting back to Sandy. Sandy briefly reported on the CCTV/Magnification Loan program. She reported that they have been able to expand the program in the past month. With the expansion, there is presently no waiting list, and they have been able to remove the last of the "older machines" from service in the program. Sandy also reported that they have acquired four 'reader' – text to speech – machines, and they are working with Rehabilitation Teachers and DakotaLink to identify individuals who would benefit most from this type of device. An individual who has lost most of their residual vision e.g., peripheral and thus is not able to access

print is more likely to benefit from the use of this type of device. SBVI acquired a total of four machines; two of them are ClearReaders+ Text to Speech Reader and two are DaVinci Pro CCTV with full page text to speech styles. With these units available, SBVI feels it provides an opportunity to provide a device to individuals who are unable to read printed material and require additional alternatives to live independently.

SILC STAFF REPORT: CIL STAFF TRAINING REPORT – Shelly handed out a summary of the evaluations completed by those in attendance (see attached). She reviewed some of the demographics, and a few of the highlights as identified by those attending. She then invited SILC members who were in attendance to share their thoughts on the training. Shelly also invited Cole Uecker, CAP Director, who was a presenter as well as an attendee, to share his thoughts on the training. Generally, the evaluations and comments were very positive – highlighting different portions of the training as most engaging, informative and the opportunity to network. There were a few suggestions that maybe it could be combined with the annual training targeted to vocational rehabilitation providers. It was shared that the past few years an effort has been made to incorporate some IL sessions in this training. As the SILC explores its goals of supporting CILs in their efforts to train staff, the information from this report and other sources will be helpful. **BUDGET REPORT** – Even though this was not on the agenda, Shelly shared it due to the fact that it is the last meeting following the completion of the current agreement year (see attached). The report reflected expenditures as of the middle of May, and the agreement ended as of May 31st. Shelly thanked the SILC for the opportunity to present this information.

OTHER BUSINESS: Craig asked if there was any other business. Hearing none, he turned to the next agenda item. **RECOGNITION OF OUTGOING MEMBERS** – As of June 30th the term of two current members, who do not wish to be re-appointed to the SILC, will be ending. They are Vicki Kerkvliet and Katie McOwen. Katie could not be here today due to a physician appointment with a doctor from Sioux Falls who she would not be able to see for another six months if she cancelled her appointment. Thus, staff will send her plaque to her on behalf of the SILC. At this time, Craig asked Vicki to come forward, and he presented her with a plaque in recognition of her service as a member of the SILC and her commitment to ensuring that people with disabilities have the opportunity to live independently

in their homes and communities. He thanked her, and the full SILC thanked her with their applause, as pictures were taken.

CLOSING ACTIONS: FUTURE AGENDA ITEMS – Craig asked about agenda items for the next meeting. Shelly brought forward the recommendation that the SILC begin dialogue on usage of unspent funds at the end of each funding cycle. It was suggested the next meeting be held in Rapid City, so it would be good to have a presentation by WRIL and possibly by other providers e.g., the Brain Injury Center; Behavioral Management Services. It was also suggested that SILC Orientation could be an agenda item, and part of that would be reviewing the current workgroup structure and membership and determine if changes are needed based on the new SPIL; also ask all SILC members to identify what workgroup(s) they wish to participate in for the coming year. The Executive Committee will take these items under consideration as they work to craft the agenda for the September meeting. SCHEDULING OF NEXT MEETING – Consensus was to hold the next meeting in Rapid City. It will mean two nights lodging for some members – a day to travel in, a day to meet and a day to travel home for those with longer distances to travel. It was determined to try for the week of September 19th. Staff will investigate what might be arranged for lodging and meeting space, and as soon as any arrangements have been secured, they will notify all of the details. ADJOURNMENT – Craig thanked everyone for their participation and sought a motion to adjourn. **MOTION TO ADJOURN – MSC.** Meeting adjourned at approximately 2:30 p.m.