

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

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

## **PART B - INDEPENDENT LIVING SERVICES**

### Part C - Centers for Independent Living

State: South Dakota

FISCAL YEARS: 2025-2027

**Effective Date: October 1, 2024**

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number (OMB 0985-0044). Public reporting burden for this collection of information is estimated to average 240 hours per response, including time for gathering and maintaining the data needed and completing and reviewing the collection of information. The obligation to respond to this collection is required to receive financial assistance (Title VII of the Rehabilitation Act of 1973, as amended).

## Executive Summary

The South Dakota (SD) Statewide Independent Living Council (SILC) and the Centers for Independent Living (CILs) partnered with the Designated State Entity (DSE) to develop the three-year State Plan for Independent Living (SPIL) in order to receive federal Part C and Part B funding for Independent Living (IL) Services. SD's SILC was established by an Executive Order in 1993 by Governor Miller. The CILs in South Dakota include Independent Living Choices (ILC North, ILC South, and Native American ILC) and Western Resources for Independent Living (WRIL). The DSE is the Division of Rehabilitation Services. These entities make up South Dakota's IL Network.

The IL Network fully supports the purpose and philosophy of independent living (IL) as addressed under Title VII, Chapter 1, Section 1329.2 of the Rehabilitation Act of 1973, as amended. The SPIL outlines what the IL Network will do to strengthen and improve independent living services for individuals with disabilities in our state. The IL Network identified the needs and priorities of consumers, providers, and other stakeholders in the state. Goals and objectives were developed with input and feedback from IL Network partners, individuals with disabilities, and other stakeholders who have an interest in issues that impact South Dakotans with disabilities.

The IL Network utilized various methods to obtain public input throughout the development of the SPIL from individuals with disabilities and interested groups/organizations statewide. The SILC's quarterly meetings included time and opportunity for public comment. Invitations were extended to various groups and organizations to present information to the SILC allowing members to learn more about a program, service, or the role of an organization/entity.

The SILC's SPIL committee met early in 2022 to initiate work on the 2023-2026 SPIL. The SILC Community Survey was developed and disseminated. The survey sought input on disability, current living situations, barriers to living independently, inquiring about what individuals struggle with or need help with, what makes it difficult to get the support needed, what individuals would like to learn more about, and if they could educate others/businesses on one topic, what would this include. Individuals were also invited to provide contact information if they wanted to learn more about IL or to have someone follow-up with them.

Meanwhile, as work continued on the development of the next SPIL, work was needed on the current SPIL. Later in 2022 and early in 2023, the SILC conducted work to extend the end date of the current SPIL from 2023 to 2024, per ACL guidance. The amended SPIL was submitted in April 2023 for review and approval. Conditional approval was received in August 2023 and final approval was received in September 2023.

Work involved with the development of the new SPIL included the SILC's Consumer Services reviewing information to identify and determine IL service needs. Information reviewed included IL consumer satisfaction surveys from both CILs, SBVI IL consumer satisfaction surveys, gathered comments/input from Disability Rights SD listening sessions and ADLS, HOPE, Family Support 360, CHOICES Medicaid waiver renewal public input meetings, Blind organizations listening sessions and a review of the Disability Statistics Compendium. The year delay in the SPIL submittal process allowed the Consumer Services Committee to obtain and consider the findings of the VR agencies 3-year Comprehensive Statewide Needs Assessment.

The SILC provided time during the quarterly meetings to obtain public input from individuals with disabilities, family members, interested groups and other stakeholders. Each meeting included reports or updates from the CILs, DSE, separate Blind agency and SILC staff as a means of staying informed of activities. The SILC collaborated with the DSE, Blind agency, Native American Tribal VR Programs, CILs and other disability related organizations to host and attend public meetings and forums.

Consideration was given to the information learned or findings from the annual reviews conducted by the DSE of the CILs. Reviews consist of examining appropriateness of eligibility decisions, presence of independent living plans or waivers, service timeliness, and participant outcomes. Findings from the reviews are discussed with CIL staff. DSE staff provided information regarding the reviews/findings to the SILC. This process has been in place and will continue through this SPIL reporting period. This assists the IL Network to maintain or improve the IL service delivery in terms of appropriateness of services provided to eligible participants, timeliness of service delivery, and ensuring participants are working towards their goal of living as independently as possible.

The Program Performance Reports (PPR) completed by the CILs are also reviewed in terms of IL service delivery information. The PPR's assist with identifying trends or other notable changes with individuals served, individual services, provision of services, annual program objectives, and possible challenges.

The SILC's SPIL Committee met in August, October and in November to develop sections of the SPIL. These meetings were open to the public and advanced notice was provided. This allowed additional opportunity to gather public input while developing the SPIL. The intent was to bring forward the draft SPIL for the SILC's review and move forward with scheduling the public forum. The public forum was held in February to provide additional opportunity for comment/feedback on the draft SPIL. Written comments were also accepted.

The IL Network partners ensured public input opportunities were carried out in accordance with 45 CFR 1329.17 (f). Public notice was shared and disseminated by board/council members, individuals with disabilities, and other stakeholders through websites and other social media outlets i.e., SD's Boards/Commission's portal, Center for Disabilities, Disability Rights SD, Council on Developmental Disabilities, Black Hills Special Services Cooperative, CILS, and the Department of Human Services.

The public forum offered an overview of the SPIL, mission, goals, objectives, and a review of all the sections. Comments and questions asked during the public forum sought clarification whether there were significant changes in the draft goals in comparison to what is contained in the current plan. Responses clarified that one goal broadened its focus from two specific areas (housing and transportation) and now includes a more systemic approach to areas that may impact the delivery of IL services. Commenters acknowledged that the goals and objectives align with what is needed in South Dakota. Commenters expressed an appreciation of the information that was made available to the public. Clarification was sought in terms of whether the SILC utilizes other social media other than Facebook. The same commenter followed up noting the challenge of maintaining consistency across multiple platforms. The meeting concluded with outlining the next steps to include finalizing the SPIL, presenting it to the full SILC/CILs/DSE for final review and approval and submitting it to ACL.

The IL Network Partners affirm that the development of this SPIL is a continuation of the activities and work conducted through the previous SPIL cycle. The goals, objectives and activities were updated after careful consideration of public comment, review of gathered information, data, and results of surveys. The IL Network Partners value the work involved with updating the draft and recognize these efforts will continue to strengthen independent living services throughout the entire state.

The SPIL contains the signature of the SILC Chairperson and the directors of the centers for independent living. These signatures indicate that SD's SILC and CILs agree with and intend to fully implement the SPIL's content, and that the SPIL is complete and ready for submission to the Administration for Community Living. The DSE is an essential part of the IL Network and assisted the SILC and CILs with the development of this SPIL. In addition to the DSE assurances and responsibilities, and provision of technical assistance, it acknowledges the impact of IL services and provides additional financial backing to broaden the reach of the IL service delivery system.

## Section 1: Goals, Objectives and Activities

### 1.1 Mission:

Mission of the Independent Living Network and the SPIL.

The SILC, CILs and DSE support the mission to advocate for and help to create local and state support systems which assist persons with disabilities to determine, achieve and maintain independence, productivity, and integration into community life.

### 1.2 Goals:

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

Goal 1: Increase Awareness of Independent Living (IL) Services throughout SD.

Goal 2: Ensure people with disabilities residing in SD have access to IL services.

Goal 3: Engage in efforts to collaborate, promote, and advocate for needed changes in areas that impact persons with disabilities to live as independently as possible.

### 1.3 Objectives

Objectives for the three-year period of the plan – including geographic scope, desired outcomes, target dates, and indicators. Including compatibility with the purpose of Title VII, Chapter 1.

**Goal 1.** Increase awareness of Independent Living (IL) Services throughout South Dakota.

- **Objective 1.** Increase knowledge and understanding of SILC/CILs/DSE members and related staff regarding purpose of IL, core services and programs.
  - SILC will conduct a new member orientation annually.
  - SILC will support SILC members/staff to participate in training/conferences to gain better understanding of disability related topics.
  
- **Objective 2.** Increase communication, collaboration and strengthen partnerships with IL Network Partners and other stakeholders.
  - IL Network will attend events, meetings, and other activities to exchange/obtain information.
  - IL Network will disseminate/share information on trainings, conferences, or other events that impact disability.

- **Objective 3.** Host open houses/tours at the CIL offices/satellite offices to increase public knowledge and understanding of IL, services/supports and philosophy.
  - SILC and CILs will make arrangements for SILC members and others to tour local CILs.
  - SILC will work in collaboration with CILs to host open houses at various office sites; SILC will utilize strategic planning funds to sponsor one open house per year/per CIL.

**Goal 2.** Ensure people with disabilities residing in South Dakota have access to IL services.

- **Objective 1.** Explore ways to provide access to information to South Dakotans with disabilities regarding IL resources and information.
  - IL Network will develop marketing materials to be distributed by members of SILC and CILs.
  - CIL staff will provide speaking engagements in two of the identified less served communities/counties per year.
- **Objective 2.** Continue to strengthen collaboration and accountability among IL Network Partners to improve service delivery.
  - SILC and CILs will maintain fiscal and programmatic accountability through collaboration with the DSE.
  - SILC and CILs will work with the DSE to implement contract quality and improvement and fiscal management measures for CILs.
  - IL Network will ensure the use of unified descriptions and methods of calculating service units and coding when reporting CIL activities for consistency of service provision.
- **Objective 3.** Identify and increase activities to engage individuals with significant disabilities.
  - CILs will increase collaborative efforts with local school districts to disseminate IL information to students/family members.
  - CILs will increase collaborative efforts with Transition Services Liaison Project (TSLP) and include staff participation.
  - CILs will educate Long Term Care Facility administration staff and residents about IL services.

**Goal 3.** Engage in efforts to collaborate, promote, and advocate for needed changes in areas that impact persons with disabilities to live as independently as possible.

- **Objective 1.** Enhance knowledge and awareness of independent living services/needs of general public, local agencies, organizations, and community.

- IL Network will attend/participate in community events or meetings where housing, transportation, and other needs of people with disabilities are likely to be discussed.
  - SILC will support advocacy and leadership training for youth and adults with disabilities, family members and/or guardians to attend trainings; and provide support to organizations to provide disability related training initiatives.
- **Objective 2.** Monitor the delivery of IL services through participant feedback (public input, needs assessments, satisfaction surveys, attending listening sessions, and review of reports/studies) in order to remain responsive to the needs of those served.
- SILC will conduct a survey in the 3rd year of the SPIL (2025-2027) of South Dakotans with disabilities to identify the systems advocacy issues/service delivery needs.
- **Objective 3.** Enhance knowledge and awareness of independent living services/needs among IL Network Members.
- SILC will collaborate with others to support activities to raise awareness of disability related issues.
  - IL Network will arrange for speakers with expertise to present at SILC and/or CIL meetings to gain a better understanding of issues.

The IL Network identified the above objectives which strive to promote the philosophy of independent living. The overall intent of this SPIL is to improve the independence of South Dakotans with disabilities and the IL Network assures the goals and objectives are compatible with the purpose of the Title VII, Chapter 1.

<b>Goal #1</b> Increase Awareness of Independent Living (IL) Services throughout SD.		
<b>Objectives</b>	<b>Activities</b>	<b>Data Collected/Data Collection Method/Organization Responsible for Data Collection/Target Date/Geographic Scope</b>
Increase knowledge and understanding of SILC/CILs/DSE members and related staff regarding purpose	➤ SILC will conduct new member orientation	SILC track number of new members who attend orientation, and other attendees. SILC track number of conferences/trainings attended by SILC members/staff. Monitor SILC member travel budget

<p>of IL, core services and programs.</p>		<p>(registration/travel fees).</p> <p>Target: Host orientation annually; encourage IL Network members to attend disability related conferences/trainings.</p> <p>Target Date: Annually throughout 3-year State Plan cycle. Geographic Scope: Statewide</p>
	<p>➤ SILC will support SILC members/staff to participate in training/conferences to gain better understanding of disability related topics.</p>	<p>SILC track participation on an annual basis. Information will be reported in the PPR.</p> <p>SILC track number of conferences/trainings attended by SILC members/staff. SILC will monitor SILC member travel budget items (registration fees, travel expenses).</p> <p>Target Date: Throughout the 3-year State Plan cycle. Geographic Scope: Statewide</p>
<p>➤ Increase communication, collaboration and strengthen partnerships with IL Network Partners and other stakeholders.</p>	<p>➤ IL Network will attend events, meetings, and other activities to exchange/obtain information.</p>	<p>SILC and CILs track the number and types of meetings attended by IL Network in their communities or areas; obtain information through the SPIL Activities Reporting Form; report annually through PPR. Information from CILs gathered via quarterly reports.</p> <p>IL Network will attend at least eight meetings annually; PPR report.</p> <p>Target Date: Throughout the 3-year State Plan cycle. Geographic Scope: Statewide</p>
	<p>➤ IL Network will disseminate/share</p>	<p>SILC collects information from SILC and IL Network via Activities</p>

	<p>information on trainings, conferences, or other events that impact disability.</p>	<p>Reporting Form; CIL quarterly reports; information will be reported at quarterly SILC meetings. Information will be reported in the PPRs.</p> <p>Refresh Facebook with disability related information/stories /events /trainings on a bi-weekly basis. Disseminate information with other organizations via email and other outlets.</p> <p>Target Date: Throughout the 3-year State Plan cycle. Geographic Scope: Statewide</p>
<p>➤ Host open houses/tours at the CIL offices/satellite offices to increase public knowledge and understanding of IL, services/supports and philosophy.</p>	<p>➤ SILC and CILs will make arrangements for SILC members and others to tour local CILs</p>	<p>CILs track number of open house events held annually via quarterly reports, share information of events during SILC quarterly meetings (information obtained from SILC meeting minutes); CILs track number of members and other attendees who participate in a tour; goal of three members touring a CIL on an annual basis.</p> <p>Information will be reported in the PPR.</p> <p>Target Date: Throughout the 3-year State Plan cycle. Geographic Scope: Statewide</p>
	<p>➤ SILC will work in collaboration with CILs to host open houses at various office sites; SILC will utilize strategic planning funds to sponsor one open</p>	<p>SILC track events/participation on an annual basis. Information will be reported in the PPR, CILs Quarterly Reports.</p> <p>SILC track number of events attended by SILC members/staff. SILC will monitor SILC member travel budget item.</p>



	house per year/per CIL.	Target Date: Throughout the 3-year State Plan cycle. Geographic Scope: Statewide
<b>Goal 2.</b> Ensure people with disabilities residing in South Dakota have access to IL services.		
Explore ways to provide access to information to South Dakotans with disabilities regarding IL resources and information.	➤ IL Network will develop marketing materials to be distributed by members of SILC and CILs.	<p>CILs track number of items created/redrafted per CIL; share with IL Network when completed; disseminate via social media and other outlets. CILs and SILC track communities/counties visited, where information dropped off.</p> <p>Target: Gather two success stories per CIL annually, throughout the State Plan cycle. Share on social media sites (SILC Facebook page)</p> <p>Target Date: Throughout the 3-year State Plan cycle; review CIL generated materials as rebranded/updated. Geographic Scope: Statewide</p>
	➤ CIL staff will provide speaking engagements in two of the identified less served communities/counties per year.	<p>CILs track number of speaking engagements provided by CIL staff annually per CIL quarterly reports and information shared during SILC meetings (minutes).</p> <p>Information tracked via CIL quarterly reports and PPR year end reports; Activities Reporting Form and SILC's PPR.</p> <p>Target Date: Throughout the 3-year State Plan cycle. Geographic Scope: Target counties identified as underserved; review on annual basis.</p>

<p>➤ Continue to strengthen collaboration and accountability among IL Network Partners to improve service delivery.</p>	<p>➤ SILC and CILs will maintain fiscal and programmatic accountability through collaboration with the DSE.</p> <p>➤ SILC and CILs will work with the DSE to implement contract quality and improvement and fiscal management measures for CILs.</p> <p>➤ IL Network will ensure the use of unified descriptions and methods of calculating service units and coding when reporting CIL activities for consistency of service provision.</p>	<p>SILC/CILs/DSE track SILC and CILs financial status/reports through CILs quarterly reports, DSE reports, and SILC budget updates; Review results/findings from the annual onsite DSE reviews; Review and monitor results of consumer satisfaction surveys.</p> <p>Track number of participants who choose a provider outside of CIL coverage area; information collected quarterly through CILs quarterly reports.</p> <p>Target Date: Throughout the 3-year State Plan cycle. Geographic Scope: statewide.</p>
<p>Identify and increase activities to engage individuals with significant disabilities.</p>	<p>➤ CILs will increase collaborative efforts with local school districts to disseminate IL information to students/family members.</p> <p>➤ CILs will increase collaborative efforts with Transition Services Liaison Project (TSLP) and include staff participation.</p> <p>➤ CILs will educate Long Term Care Facility administration</p>	<p>CILs track the number of events that CIL staff attend/participate/host; depending upon event or activity; describe makeup and number of attendees, or which long term care facility visited; through use of CIL reports; information reviewed with SILC quarterly; review of information documented in PPRs.</p> <p>Target Date: Information will be collected on a quarterly basis throughout the State Plan cycle.</p> <p>Geographic Scope: Statewide</p>

	staff and residents about IL services.	
<b>Goal 3.</b> Engage in efforts to collaborate, promote, and advocate for needed changes in areas that impact persons with disabilities to live as independently as possible.		
Enhance knowledge and awareness of independent living services/needs of general public, local agencies, organizations, and community.	<ul style="list-style-type: none"> <li>➤ IL Network will attend/participate in community events or meetings where housing, transportation, and other needs of people with disabilities are likely to be discussed.</li> </ul>	<p>SILC track the number and types of meetings attended by IL Network in their communities or areas; obtain information through the SPIL Activities Reporting Form; report annually through PPR.</p> <p>IL Network will attend at least eight meetings annually; PPR report; CIL information collected via quarterly report.</p> <p>Target Date: Throughout the 3-year State Plan cycle. Geographic Scope: Statewide</p>
	<ul style="list-style-type: none"> <li>➤ SILC will support advocacy and leadership training for youth and adults with disabilities, family members and/or guardians to attend trainings; and provide support to organizations to provide disability related training initiatives.</li> </ul>	<p>SILC track number of requests made through the “SILC Application for Financial Assistance” to support individuals with disabilities, family members/guardians, to attend trainings or provide assistance to organizations to provide training opportunities.</p> <p>Target Date: Throughout 3-year State Plan cycle, dependent upon available funding in SILC’s strategic planning line item of the budgeted resource plan. Geographic Scope: Statewide</p>
<ul style="list-style-type: none"> <li>➤ Monitor the delivery of IL services through participant feedback (public</li> </ul>	<ul style="list-style-type: none"> <li>➤ SILC will conduct a survey in the 3rd year of the SPIL (2025-2027) of South Dakotans with</li> </ul>	<p>Conduct statewide community survey at least every 3 years. Results and other information reviewed by the IL Network to determine systems advocacy</p>

<p>input, needs assessments, satisfaction surveys, attending listening sessions, and review of reports/studies) in order to remain responsive to the needs of those served.</p>	<p>disabilities to identify the systems advocacy issues/service delivery needs.</p>	<p>priorities and goals/objectives for the next 3-year SPIL cycle.</p> <p>Consumer Satisfaction Survey results will be collected by DSE; reported at SILC quarterly meetings.</p> <p>All SILC quarterly meeting agendas reviewed for necessary standing agenda items.</p> <p>Target Date: Every three years. Geographic Scope: Statewide.</p>
<p>➤ Enhance knowledge and awareness of independent living services/needs among IL Network Members.</p>	<p>➤ SILC will collaborate with others to support activities to raise awareness of disability related issues.</p>	<p>SILC will participate/collaborate/sponsor at least two events annually. Information will be reported in PPR. Track budget report/use of SILC's strategic planning funds. Utilize SILC Facebook page to disseminate information/monitor Facebook visits/sharing of information.</p> <p>Target Date: Throughout the 3-year State Plan cycle. Geographic Scope: Statewide</p>
	<p>➤ IL Network will arrange for speakers with expertise to present at SILC and/or CIL meetings to gain a better understanding of issues.</p>	<p>SILC track number of presentations conducted at SILC quarterly meetings or meetings hosted by the CILs; PPR and/or CIL quarterly reports. Reports will reflect any action conducted and by whom. Monitor SILC minutes.</p> <p>SILC host two presentations annually throughout State Plan cycle, reported in PPR. Geographic Scope: Statewide</p>

## 1.4 Evaluation

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

Monitoring the effectiveness of the SPIL's goals and objectives and achieving the desired outcomes will be the responsibility of the IL Network. The IL Network agrees to:

- Review, revise and administer the evaluation instrument that measures consumer satisfaction with services participants have received every three years.
- Review and monitor CIL participant feedback and other results; report findings and trends for planning and administrative purposes at each SILC meeting.
- Revise the CILs quarterly report format to reflect the current SPIL goals and objectives (report monitors progress on SPIL goals and summary/descriptions of events/activities, dates and location, and CIL's role in the event).
- Conduct a public forum to obtain public input on the development of the SPIL, every three years.
- Review and administer a community survey to identify the needs of South Dakotans with disabilities, every three years.
- Review and monitor engagement with public through social media and any feedback generated through partnerships with other disability related activities, i.e., BVR, B/SBVI, Disability Rights SD, Council on Developmental Disabilities, SD DROP, SD Parent Connection.
- Invite disability organizations, service providers, local/state entities on an ongoing basis to SILC meetings to provide an overview of services/programs and available resources, including changes in services or programs.
- Include a standing agenda item during the SILC quarterly meetings to monitor progress made on SPIL related goals, objectives, and activities.
- Review and revise the SPIL monitoring tool/processes to ensure continued effectiveness on an annual basis.

The following activities will be incorporated to assist the IL Network in evaluating the effectiveness of the SPIL and to ensure work is being accomplished in achieving our desired outcomes:

- CIL directors will provide an annual update to the SILC on its most recently approved PPR.
- CIL directors will provide updates during the SILC meetings, i.e., status of activities, staffing, fundraising, successes/obstacles.

The IL Network developed a consumer satisfaction survey that has rating and narrative

questions. This survey instrument will be reviewed and updated every three years. The survey is disseminated by the CIL's to each participant at the time of case closure. The DSE's IL Specialist reviews the survey findings during the SILC's quarterly meetings. This allows time for discussion and to identify any need for action regarding trends, developments, or concerns.

CIL directors submit a copy of the approved PPR to the DSE. They will be asked to provide a summary of the report to the SILC annually. Results will include trends, areas of success or notable concerns. The CILs quarterly report will be updated every three years to incorporate the new SPIL goals/objectives. CIL directors are asked to provide updates during the SILC meetings on other CIL activities to keep the SILC and DSE informed.

The IL Network conducts a public forum to obtain input on the development of the SPIL during each renewal period. The IL Network also disseminates a community survey to identify the needs of persons with disabilities living in SD every three years to coincide with SPIL development. The information obtained assists the IL Network to better advocate for improved access, supports, and services across the state. The survey was voluntary and anonymous. The survey instrument will be reviewed and administered again in three years.

The community survey conducted utilized Survey Monkey. The survey had 15 questions asking about disability, region of the state they live in, employment, housing, current living situation, issues or barriers to living independently, things they might struggle with or need help doing, what makes it difficult to get the support they need, what they might want to learn more about, and one topic they would like to teach others about. The survey also included an area to request more information about IL services, and an area to leave their contact information to have someone follow up with them. The link to the survey was disseminated to various disability organizations inviting them to share it; paper copies of the survey were disseminated by regular mail per request, and a phone number was provided if a person wanted assistance in completing it. The information obtained was reviewed and considered as the SPIL was developed.

Standing agenda items for the SILC and their meetings include updates from the two SRC's. The SILC also has a member who is employed with the state's protection and advocacy agency. This member serves on the SILC's Consumer Services Committee and participates on committees with combined representation of BVR, B/SBVI and SILC members to provide feedback/recommendations on specific activities (Governor's Awards Ceremony, National Disability Employment Awareness Month). The Executive Director of the Council on Developmental Disabilities and Council members have been invited to attend SILC meetings to provide an overview of activities and solicit feedback

on their state plan development. This will continue during this state plan cycle.

SILC meetings have included representatives of agencies or organizations that have provided information and/or resources, i.e., transportation, housing, community health workers, home modifications, and more. Dialogue during meetings has increased members' knowledge and understanding of services/providers, provided connections to enhance working relationships, and generated dialogue about how to better support one another. Dialogue also identified additional means of getting information and resources to individuals with disabilities.

The SILC developed a Facebook page in 2022 and disseminated information almost weekly about various events, camps, and activities that were disability related. Services, activities, programs, hiring needs, and other stories have touched on disability issues, conferences/trainings, adaptive recreational activities, Medicaid changes, health issues, job fairs, people first language, and more. Information is sought from various partners, e.g., Disability Rights SD, Parent Connection, CDD, VR, Departments of Human Services (DHS), DOL, DSS, Office of Special Education, business resource networks, and more. Work will continue on the Facebook page during this SPIL cycle with a goal of weekly updates to keep it current, increase users and keep return users.

The SILC's Consumer Services Committee also spent time gathering and reviewing information from various partners in order to provide input on the SPIL development process. The committee met several times and reviewed information to identify best practices for service provision, identify community needs, underserved populations, or areas of the state, and identify and learn more about barriers to living independently. Gathered information was obtained from: IL consumer satisfaction surveys, SBVI's Independent Living Older Blind consumer satisfaction survey results, Disability Rights SD listening sessions, ADLS, HOPE, CHOICES, Family 360 Waiver renewal listening sessions, disability statistics compendium, and Blind organization conventions. The committees' findings were provided to the SILC's SPIL Committee.

The SPIL committee consists of the SILC Chairperson, DSE and SILC representative, other SILC members and CIL directors. The SPIL committee reviewed the Consumer Services Committee's findings and drafted the goals and objectives. This committee is responsible for monitoring activities and progress made towards the approved SPIL goals. The SPIL committee will meet when necessary and provide an update on work and progress made towards the SPIL goals during each SILC meeting. IL Network members are encouraged to speak to any activity or event organized or participated in. SILC staff will be responsible for keeping information current in a SPIL logic model or other planning tool. These tools will be utilized to track progress made on objectives and activities towards accomplishing SPIL goals. This information is also utilized in

completing the annual PPR.

The IL Network agrees to monitor reports, data, or other feedback in terms of the SPIL and service delivery i.e., areas needing improvement, lack of services/information, or underserved areas or population. The IL Network will identify efforts to provide or increase an IL related presence in response to the identified need. The same will be considered in terms of a successful outreach event or activity and ways will be explored to duplicate a successful event or activity if the time/resources allow it. The SILC could be approached for financial support for given activities as this would be an effective use of their strategic planning funds in their resource plan.

### 1.5 Financial Plan

Sources, uses of, and efforts to coordinate funding to be used to accomplish the Goals and Objectives. Process for grants/contracts, selection of grantees, and distribution of funds to facilitate effective operations and provision of services.

<b>Fiscal Year(s):</b>					
<b>Sources</b>	<b>Projected Funding Amounts and Uses</b>				
	SILC Resource Plan	IL Services	General CIL Operations	Other SPIL Activities	Retained by DSE for Administrative costs (applies only to Part B funding)
<b>Title VII Funds</b>					
Chapter 1, Part B	\$34,571	\$313,489	\$0	\$0	\$0
Chapter 1, Part C	\$0	\$1,094,997	\$0	\$0	
<b>Other Federal Funds</b>					
Sec. 101(a)(18) of the Act (Innovation and Expansion shall not be \$0)	\$55,581	\$0	\$0	\$0	
Social Security Reimbursement	\$0	\$349,505	\$0	\$0	
Other (Ramp Project)	\$0	\$250,000	\$0	\$0	



<b>Non-Federal Funds Part B State Match</b>					
Other State Match for Funds in SPIL	\$3,841.00	\$183,134	\$0	\$0	\$0
State Funds	\$0	\$0	\$0	\$0	\$0
Other	\$0	\$0	\$0	\$0	\$0

**Narrative Section**

Description of financial plan narrative.

The SILC approved action in 2016 to have the Division of Rehabilitation Services (DRS) serve as the Designated State Unit, now referred to as Designated State Entity (DSE). In this role, the Division provides fiscal oversight for the Part B funds awarded to the CILs in SD and carries out its responsibilities as outlined in 45 CFR Part 1329, Section 1329.12 of the federal regulations.

The DSE must comply with the State of South Dakota’s fiscal requirements when distributing funds through contractual relationships: The Request(s) for Proposal Process for professional services required by SDCL 5-18D-17 to 5-18D-22; SB162 State Board of Internal Control; and 2 CFR Section 200.330 Federal Pass-Through Funds. Contracts over \$50,000 must go through the Request for Proposal Process as laid out in SD 5-18D-17 to 5-18D-22.

Below is a summary of the anticipated sources, amounts and proposed uses of the funds in the table above to support the SPIL objectives.

The ACL IL Part B Services Grant annual allocation for SD for FY 2023 totaled \$348,060. The DSE receives, accounts, and disburses the Part B Funds. The DSE does not retain any of the Part B funds. This fiscal year runs June 1 through May 30. The SILC receives approximately \$89,028 annually in grant funding to support SILC operations and activities to fulfill its duties and authorities. The total \$89,028 breaks down to \$34,571 in Chapter 1, Part B funds, \$50,616 in VR Sec. 101 (Innovation and Expansion) funds and \$3,841 in other state funds to provide staff support (staff salaries and benefits) for both the SILC and Board of Vocational Rehabilitation (BVR) which is the State Rehabilitation Council through a contractual agreement between the DSE and an outside entity.

Due to the difference in timing of funding awards, i.e., Part B and C funds, the contractual agreement to provide staff support receives over \$40,700 to support SILC member travel, CIL staff member attendance to trainings, and costs associated with

SILC meetings and Strategic Planning. The contractual agreement is based upon the calendar year, not the federal year or Part B contract year which starts June 1<sup>st</sup> of each year. The DSE provides more than 10% of the total project cost per year.

All Part B funds not utilized in the SILC resource plan are used to support the provision of IL services. The DSE does not retain any Part B funds for administrative costs. The DSE utilizes the majority of Part B funds, including match, to contract with the two CILs: Independent Living Choices (ILC) and Western Resources for Independent Living (WRIL). Contract language specifies that the CILs agree to provide IL services to individuals with disabilities in accordance with all IL program requirements as outlined in the contract and the Independent Living Manual. The DSE provides direct oversight of these funded activities and provides technical assistance to the CILs as requested.

The SILC's Resource Plan outlines that Strategic Planning funds can support mini grants which can be awarded to various organizations to promote IL activities for persons of all ages with all types of disabilities. The funds are intended to support the SILC's mission to advocate for and help create local/state support systems, to enable persons with disabilities to determine, achieve and maintain independence, productivity, and integration into community life. Funds are also available to assist individuals with disabilities to participate in training events that promote the IL philosophy of consumer control, consumer choice, self and systems advocacy and peer support. The SILC can also utilize strategic planning funds to support training opportunities to improve services to unserved/underserved populations.

The US Department of Health and Human Services, Administration for Community Living, Independent Living Program, Centers for Independent Living Grants, CILs Notice of Awards for FY2023 for SD was \$1,094,997. Independent Living Choices received a total of \$809,025 (IL South/\$596,091; IL North/\$45,160 and IL Native American/\$167,774) and WRIL received a total of \$285,972. In accordance with Title I and Title VII of the Rehabilitation Act of 1973, as amended, these funds are utilized to provide the services and supports to support the goals, objectives and activities identified in the SPIL.

The contracts between the DSE and the CILs also contain Social Security Reimbursement funds in the amount of \$349,505 and \$183,134 in other state funds to support the provision of IL services statewide. The Social Security Reimbursement funds from the VR program can be used for IL services the same as Part B funds. The IL Network approved the use of up to 15% of combined Part C and state funds to be set aside from the Part C budget to provide home modifications and assistive devices (HMAD) to consumers receiving independent living services.

Part B funds supplement Part C funds and does not duplicate the funding of services supported by Part C funds. The DSE monitors the terms of the state contracts. The IL Network monitors, reviews, and evaluates the SPIL and the delivery of IL services, outcomes, consumer satisfaction and other work made towards accomplishing the goals and objectives in the SPIL.

In separate contracts with the CILs, the DSE provides additional funds to support ramp projects for recipients of IL services. In 2023, the Division awarded two contracts which provided over \$250,000 (\$225,000 to ILC and \$25,000 to WRIL) to purchase and install ramps for consumers served by the CILs. This project is new, and each CIL provided an estimate for ramps to be constructed and installed within a year's time. This will be renegotiated annually with each CIL and is dependent upon available funds through the DSE.

## **Section 2: Scope, Extent, and Arrangements of Services**

### **2.1 Services**

Services to be provided to persons with disabilities that promote full access to community life including geographic scope, determination of eligibility, and statewide reach.

Table 2.1A: Independent living services	Provided using Part B (check to indicate yes)	Provided using other funds (check to indicate yes; do not list the other funds)	Entity that provides (specify CIL, DSE, or the other entity)
Core Independent Living Services, as follows: <ul style="list-style-type: none"> <li>- Information and referral</li> <li>- Individual and systems advocacy</li> <li>- Peer counseling</li> <li>- IL skills training</li> <li>- Transition services including:               <ul style="list-style-type: none"> <li>▪ Transition from nursing homes &amp; other institutions</li> <li>▪ Diversion from institutions</li> <li>▪ Transition of youth (who were eligible for an IEP) to post-secondary life</li> </ul> </li> </ul>	Yes	Yes	CILs
	Yes	Yes	CILs
	Yes	Yes	CILs
	Yes	Yes	CILs
	Yes	Yes	CILs
	Yes	Yes	CILs
	Yes	Yes	CILs
	Yes	Yes	CILs
	Yes	Yes	CILs
	Yes	Yes	CILs
	Yes	Yes	CILs
Counseling services, including psychological, psychotherapeutic, and related services	No	No	No
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 disabilities) Note: CILs are not allowed to own or operate housing.	Yes	Yes	CILs
Rehabilitation technology	Yes	Yes	CILs
Mobility training	No	Yes	CILs
Services and training for individuals with cognitive and sensory disabilities, including life skills training, and interpreter and reader services	Yes	Yes	CILs
Personal assistance services, including attendant care and the training of personnel providing such services	Yes	Yes	CILs
Surveys, directories, and other activities to identify appropriate housing, recreation opportunities, and accessible transportation, and other support services	Yes	Yes	CILs

Table 2.1A: Independent living services	Provided using Part B (check to indicate yes)	Provided using other funds (check to indicate yes; do not list the other funds)	Entity that provides (specify CIL, DSE, or the other entity)
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	Yes	Yes	CILs
Education and training necessary for living in the community and participating in community activities	Yes	Yes	CILs
Supported living	No	No	No
Transportation, including referral and assistance for such transportation			
Physical rehabilitation	Yes	Yes	CILs
Therapeutic treatment	No	No	No
Provision of needed prostheses and other appliances and devices	No	No	No
Individual and group social and recreational services	Yes	Yes	CILs
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	Yes	Yes	CILs
Services for children	Yes	Yes	CILs
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 disabilities	Yes	Yes	CILs
Appropriate preventive services to decrease the need of individuals with significant disabilities for similar services in the future	Yes	Yes	CILs
Community awareness programs to enhance the understanding and integration into society of individuals with disabilities	Yes	Yes	CILs

Table 2.1A: Independent living services	Provided using Part B (check to indicate yes)	Provided using other funds (check to indicate yes; do not list the other funds)	Entity that provides (specify CIL, DSE, or the other entity)
Such other services as may be necessary and not inconsistent with the Act	Yes	Yes	CILs

## 2.2 Outreach to Unserved and Underserved Populations

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

The IL Network reviewed the identified needs brought forward by the SILC’s Consumer Services Committee as they considered unserved and underserved needs of the state. The reoccurring needs and identified barriers were taken into consideration with the development of the goals, objectives, and activities. Specifically, how outreach efforts would be conducted to serve all eligible individuals with disabilities across the entire state. The IL Network upholds serving all eligible individuals with disabilities as defined in the Executive Order 13985 utilizing consistent and systemic, fair, just, and impartial treatment of all individuals with disabilities.

The IL Network gained a broader view of the state in terms of population, disability, and other demographic needs by examining the following: The *2023 Annual Disability Statistics Compendium, Annual Statistics Supplement*, and the *State Reports for County Level Data on Prevalence (Rehabilitation Research and Training Center on Disability Statistics and Demographics)*. The compendium provides state specific information, i.e., the number of people with disabilities for any given state and county in the United States. This information can be found at:

<https://disabilitycompendium.org/compendium/2019-state-report-for-county-level-data-prevalence/SD>. The “2019 State Report for County-Level Data: Prevalence” for South Dakota identifies:

- Total population of people in South Dakota was 838,940.

- The county with the greatest number of total people was Minnehaha (185,832 people).
- The county with the least number of total people was Jones (793 people).
- For the number of people with disabilities:
  - The county with the greatest number of people with disabilities was Minnehaha (19,080 people).
  - The county with the least number of people with disabilities was Jones (71 people).
- For the percentage of people with disabilities:
  - For the entire state of South Dakota, the overall percentage of people with disabilities is 11.9%.
  - The county with the highest percentage of people with disabilities was Fall River (22.0%).
  - The county with the lowest percentage of people with disabilities was Todd (5.8%).

The IL Network agrees on the following after their review of the above-mentioned information and findings. All counties and all Tribal Nations have access to a CIL in SD, therefore there is no “unserved” area. Additionally, all categories outlined under Race and Ethnicity in the CIL’s 2021 PPR reports identify consumers served in each category. This includes American Indian or Alaskan Indian, Asian, Black, or African American, Native Hawaiian or other Pacific Islander, White, Hispanic/Latino, or two or more races. Thus, there are no unserved populations in the state.

The IL Network utilized PPR information to determine whether IL consumers served represented the race/ethnicity demographics of the state and to help determine whether there were further defined unserved or underserved populations. A review of the CIL’s FFY 2021 PPR reports identified information of individuals receiving services and this information identified individuals served in each category as noted above.

In reviewing information for South Dakota, the following is reported for the percentage of population by Race/Ethnicity: White/83.6%; American Indian/Native Alaskan/8.5%, Hispanic/Latino/4.1%, African/Asian American/1.4%, Pacific Islander/Native Hawaiian/.1%, and Other/.8%. The PPR information identifies that the CILs are serving individuals in all race/ethnicity categories.

The most prevalent minority group in South Dakota is the American Indian population. The IL Network acknowledges the work conducted by both CILs in providing services to the nine nations and areas that are growing in diversity. The IL Network further acknowledges that services can be improved, and work will increase in this area because the state continues to grow in diversity. Efforts will be directed to target

cultural awareness/intelligence training specific to different populations to assist in reducing barriers in the provision of services. Presenters/partners will be identified to attend SILC meetings and/or offer CIL staff training on cultural awareness/sensitivity topics.

The IL Network recognizes that South Dakota's population has grown by 8.9% since the 2020 census. The state is also more racially diverse and urban. The counties adjacent to Sioux Falls, Rapid City, or the urban centers in our state, are gaining population. And counties that already had a smaller population are losing population. This information is from South Dakota State University demographer and sociology professor, Weiwei Zhang. For example, Jerauld County, in a rural eastern part of the state, saw the greatest decline (lost about 400 residents, nearly 20% change). Lincoln County, which includes part of Sioux Falls, grew the most (gained more than 20,000 residents, a 45% change).

It is difficult to describe, let alone define South Dakota in terms of urban and rural in terms of population because of such drastic differences. In a listing of the 30 largest cities in the state, Sioux Falls has the largest population of over 200,000. Rapid City is the 2nd largest city with over 75,000 people and the third largest city is Aberdeen with a population over 28,000. There are another ten cities with populations of at least 10,000 (not counting Sioux Falls, Rapid City or Aberdeen) which includes the capitol city of Pierre which has 14,179 residents and ranked 9<sup>th</sup> in terms of population. There are a total of 13 cities in our state that have a population greater than 10,000. All the remaining cities are below 9,000. Two cities are tied for the smallest population. Hillsview in McPherson County and White Rock in Roberts County each have a population of just three people.

South Dakota has the nation's second fastest growing Hispanic population. The Hispanic population increased from 2.7% in 2010 to 4.4% in 2020. Beadle County, which includes the city of Huron, has South Dakota's highest percentage of Hispanic and Asian residents; Minnehaha County, Sioux Falls, has the highest percentage of Black residents; Oglala Lakota County, on the Pine Ridge nation, has the highest percentage of Native American residents. The growth in diversity is due to immigration, multiracial relationships, and fertility rates, according to Zhang.

The IL Network defines the majority of the state as rural. In terms of statewide outreach, CIL staff are physically located in the larger communities, i.e., Sioux Falls, Rapid City, Aberdeen, Brookings, Watertown, Yankton, Mitchell, Pierre, and Spearfish. There are also CIL staff located in Martin, located between the Pine Ridge and Rosebud nations, CIL staff in Mobridge, located near Standing Rock and Cheyenne River Sioux nations, and staff located in Huron. Huron also has over 8% of residents



who are not US citizens. Of those not born in the United States, the largest percentage are from Asia.

The SPIL goals and objectives focus on efforts to better serve individuals with disabilities who are Native American, Hispanic/Latino, African American/Black, Asian/Asian American, and other minority groups that are increasing in the state. PPR reports will be utilized to help determine if the number of consumers served increases per race/ethnicity demographic categories. The CILs will also review resources and identify needs for information to be made available in alternative languages. The IL Network will identify gains made in serving individuals of minority groups by tracking data from the CIL's year's end reports.

The IL Network reviewed the total number of IL participants served by county for FFY2021. Underserved counties were identified as those where the number of people served was less than ½ the percentage of the total population that is currently being served; .33% of the total SD population received independent living services in 2019; ½ of that is .165%. An analysis of population by county and PPR data collected from CILs shows that 15 counties fall under the .165% threshold. These counties include Pennington, Lincoln, Meade, Union, Custer, Fall River, Edmunds, Lyman, Hanson, McPherson, Mellette, Haakon, Hyde, Harding, and Jones.

Information gathered from the CILs on a quarterly basis and from year-end reports will be monitored to identify changes in the number of persons served in the counties identified in terms of the .165% threshold. CILs will be asked to direct outreach activities in these areas. Activities shall include visiting schools, assisted living/nursing home facilities; clinics, senior centers; participating in community resource fairs/job fairs; hosting booths at events, disseminating introductory letters to doctors, clinics, apartment managers and include resources. IL Network partners will also target these counties with outreach activities, i.e., attending health fairs, farmer markets, county fairs to disseminate IL information.

IL Network members recognize that a variety of factors impact the provision of services. As such, other issues impact the provision of services that are beyond our control. A natural disaster provides an example of where specific needs arise, communities and agencies respond, and attempts are made to serve people before, during and after an emergency. Previous events have revealed that the CILs can adapt the provision of services in many situations, but not all situations. For example, during COVID there were roadblocks set up restricting travel to several Tribal Nations, limiting CIL staff efforts to meet with participants or conduct outreach activities. In some situations, participants living on a nation with an enforced lock down would notify CIL staff of when they were traveling off the reservation and would arrange meetings with CIL staff at agreed upon locations. Other efforts included staying connected with

participants by phone, Face time, and Zoom. Events in our state have included blizzards/ice storms and flooding in different regions. At times, people were trapped in their homes for weeks due to blocked/washed out roads, loss of electricity, loss of water. These types of situations severely limit the ability of CIL staff to provide needed services. These events have also taught us how to adapt the provision of services, i.e., use of technology.

The Divisions of Rehabilitation Services and Service to the Blind and Visually Impaired conducted their 3-year Comprehensive Statewide Needs Assessment in 2021 and obtained results in 2022. The needs assessment reviewed population estimates and projected growth. The IL Network Partners will monitor changes in the demographics, as this could lead to changes in outreach efforts and the physical location of IL staff.

The Comprehensive Statewide Needs Assessment report outlined the following in terms of the VR program and un/underserved populations. *Cornell University Disability Statistics (drawing from Census and ACS) show prevalence from the total population of those with disability by age and race. These prevalence estimates provide data useful for the purposes of identifying potentially un or underserved populations. The rate of disability within each race and/or age category provide potential indication where the disability incidence may be greater than VR services for that population. Notables are African American/Black ages 18-64, American Indian/Native Alaskan ages 18-64, and Asian American Youth ages 16-20.* The IL Network considers this potential indication to encompass individuals with disabilities and the need to increase the knowledge of IL services, i.e., include provision of information on services and how to access or connect with services.

Findings from the DSE's Comprehensive Statewide Needs Assessment are worthy of consideration and mention. In response to survey questions completed by DSE staff of what the Division can do better, responses included build partnerships to have a "face" in the community to serve those needing support; cultural liaison to bridge gaps of populations of diverse cultures; and have better connection with Department of Education and other community partners. The report's summary findings and guidance identify agency services awareness and access as a category i.e., lack of knowledge of availability of VR services/identify means and ways to make information on services and how to access or connect with VR services; investigate options to partner with Tribes, community providers and others to make VR and related services more available on tribal lands and to American Indian/Native Alaskan populations; provide more informational materials/other languages. The SILC and CILs look forward to providing input on the Divisions State Plan, goals, and objectives, and will seek opportunities to collaborate to better address issues and meet the needs of South Dakotans with disabilities.

Information about activities or events will be shared among the IL Network partners in order to encourage attendance of multicultural activities. This will help broaden understanding, develop partnerships, and increase understanding of how best to work with individuals of diverse backgrounds. The Multi-Cultural Center of Sioux Falls has teamed with Lutheran Social Services to serve and celebrate the diversity in our communities, especially the refugee and immigrant populations. The IL Network will direct efforts to further develop relationships to better engage and serve diverse communities and populations. The SILC and DSE recognize that each CIL has their own outreach plan which describes how to provide outreach to underserved populations in the areas they serve. The IL Network will promote efforts to provide statewide outreach.

The SILC, CILs and DSE partner with disability, aging, behavioral health agencies, and other organizations in the state, when possible, to collaborate on activities and outreach. During the previous SPIL cycle, the SILC Member SPIL Activities Reporting Form was created and utilized to assist with tracking outreach activities. This form collected information from each member regarding activities, meetings, or other community events attended and whether IL was a discussion topic. The form asked about identified needs, information shared, whether comments were communicated with others, what was learned, and as a result of training/conversation, if this identified a need for change or to do something different. This has been incorporated within the SILC's quarterly meeting agendas as a discussion item falling under the SPIL update. The activities reporting form and the meeting minutes will be utilized to track information and outreach efforts.

SILC members serve on other disability related boards/councils/associations (Deaf, Hard of Hearing, Blind/Visually Impaired, Disability Rights SD, BIA) and participate in town halls, public forums, family conversations, and other disability related events. SILC members will be encouraged to continue these engagements and share information during the SILC quarterly meetings. This will provide an avenue for staying informed regarding emerging issues, changing demographics, and inequities. As the IL Network is cognizant of the continued need to evaluate whether changes are needed to ensure it is meeting newly recognized or changing needs.

The IL Network continues and will strive to continue to include Native American representation on the council, whether a private citizen or staff of one of the various Native American Tribal VR programs. Efforts will also be made to broaden the solicitation for SILC vacancies to obtain nominations from other minority groups.

SILC members serve in collaborative roles with disability/service specific statewide groups as part of their position on the SILC. These members work for the state's protection and advocacy agency, Center for Disabilities, SD Housing and Development

Authority, Division of Service to the Blind and Visually Impaired/Older Blind Program, and the State Rehabilitation Councils (representatives from both the general and blind agency councils). Time is set aside during the SILC's regularly scheduled meetings to report on topics of importance impacting coordinated service delivery. This allows the opportunity for all to hear the information and to discuss potential opportunities.

The CIL's provide quarterly reports to the DSE and SILC and this information is reviewed and discussed in order to identify gaps, barriers, or other areas needing attention. The primary source of outreach to the public is through the CILs. Statewide outreach is also accomplished by the provision of information on the DSE's website, outreach of SILC members, SILC staff, and DSE staff in communicating the availability of IL services whenever possible. The SILC also created a Facebook page during the 2020-2024 SPIL cycle and information is added/shared at least twice a week to keep it active and engaging.

### 2.3 Coordination

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

The SILC, CILs and DSE developed several objectives in this SPIL that foster cooperation, coordination and working relationships among entities including the CILs, DSE, the State Rehabilitation Councils (SRCs) and others. Coordinated activities that were started years ago will continue, including soliciting joint nominations for board/council positions and sponsoring events i.e., Governors Awards, National Disability Employment Awareness Month activities, and Disability Awareness Day.

Maximizing cooperation and coordination among the SILC, CILs and the DSE is critical to meeting the greatest amount of need for IL services with available resources. Each SILC quarterly meeting agenda includes reports from the CILs, the DSE, SBVI, and SILC staff in order to stay informed of activities. The SILC collaborates with the DSE, SBVI, Native American Tribal VR programs, CILs and other disability related organizations (CDD, Disability Rights SD, SD Parent Connection, Center for Disabilities) to host gatherings, public meetings, and forums. CILs also work with local entities and staff serve on a number of committees, task forces, boards/councils to promote independent living options for persons with disabilities and promote equal access to community life.

The SILC's membership composition provides additional avenues for cooperation and coordination between the SILC, CILs, DSE, SBVI, and other public and private entities. This helps minimize unnecessary duplication of services and maximizes self-direction on the part of the individual consumer/participant. All recognize that resources are too scarce to do otherwise. Current SILC members bring linkages to groups such as the

SD Housing Development Authority, the two State Rehabilitation Councils, South Dakota Association of the Deaf, SD Association of the Blind, and one of the state's Tribal VR Programs and the Center for Disabilities (part of a national network of federally designed centers known as the University Centers for Excellence in Developmental Disabilities, Education, Research, and Service/UCEDDS).

It is critical that all are fully aware of services available through Federal, State, and local programs which have the potential to meet some IL and VR needs of those served. A commitment is made to keeping the SILC, CILs and DSE and separate blind agency members up to date on available resources, to include assistive daily living services, medical assistance for workers with disabilities, benefit specialist services, developmental disability services, mental health services, housing, transportation, and social/recreational opportunities which benefit persons with disabilities.

Accomplishment of the objectives and corresponding activities are assigned to SILC committees, or to the CILs, where appropriate, with quarterly reports on progress provided by the committees and CILs during SILC meetings. Individual SILC members are encouraged to attend or belong to various governing boards, task forces, committees, board/councils in their communities and share information or other feedback during the quarterly meetings. SILC members are asked to complete the SPIL activities reporting form and submit this information to staff. This information is utilized to complete the PPR year-end report and is utilized to help monitor progress made towards accomplishing the goals of the SPIL. Invitations are also extended to various disability related organizations or agencies to attend and share information at SILC meetings.

Other coordination/cooperation efforts: including the IL Network in communication regarding IL in the state; disseminating information about IL to disability related organizations and other stakeholders across the state; including CIL representatives on SILC committees; maintaining a representative on the SRC and collaborate on activities as appropriate; seeking opportunities to partner with and attending meetings of other disability organizations, .e.g., CDD, SD Association of the Deaf, SD Association for the Blind, SD Advocates for Change, BIA of South Dakota; monitoring and sharing information on changes that impact Medicaid and other programs/services related to IL, i.e., LTSS and ensuring that IL remains viable in our state.

### **Section 3: Network of Centers**

#### **3.1 Existing Centers**

Current Centers for Independent Living including: legal name; geographic area and counties served; and source(s) of funding. Oversight process, by source of funds and oversight entity.

Two non-profit organizations receive Part C Funding to operate SD's two centers for independent living. The two CILs in South Dakota are Independent Living Choices (ILC) and Western Resources for Independent Living (WRIL). The IL service delivery system in South Dakota has had significant changes over the years which requires further explanation.

Independent Living Choices (ILC) assumed two Part C grants that dissolved. ILC assumed Opportunities for Independent Living (OIL) Part C grant which served 19 northern counties of the state. ACL/OILP references this as the ILC North Grant. ILC also assumed the Native American Advocacy Program (NAAP) Part C grant which served persons with significant disabilities on all nine Tribal Nations which included all or part of 19 counties. ACL/OILP references this as the ILC Native American Grant. The ILC South grant (originally named Prairie Freedom Center) serves counties in the southeastern part of the state. ILC is referenced at the federal level as ILC North, ILC South, and ILC Native American and South Dakotan's reference ILC as one center.

South Dakota is comprised of 66 counties and nine Tribal nations, all of which are served by either ILC or WRIL. The state's network is complete in terms of 34 CFR 364.25 in that services are available in all 66 counties including all Tribal Nation lands. When referencing or speaking of the nine tribal reservations the language that is most respectful is Tribal Nations. Tribal Nations do not recognize counties.

1) Independent Living Choices (ILC North, ILC South and ILC Native American); (SPIL signatory)

Geographic Area/Counties and Tribal Nations Served - all core services provided

Aberdeen: Brown, Day Edmunds, Marshall and McPherson Counties

Brookings: Brookings, Kingsbury, Lake and Miner Counties

Huron: Beadle, Faulk, Hand, Hyde, and Spink Counties

Martin: Bennett, Jackson, Oglala Lakota, and Todd Counties

Mitchell: Aurora, Brule, Buffalo, Davison, Hanson, Jerauld, and Sanborn Counties

Mobridge: Campbell, Corson, Dewey, Potter, Walworth, Ziebach Counties

Sioux Falls: Lincoln, McCook, Minnehaha, Moody, and Turner Counties

Watertown: Clark, Codington, Deuel, Grant, Hamlin, Roberts Counties

Yankton: Bon Homme, Charles Mix, Clay, Douglas, Gregory, Hutchinson, Union and Yankton Counties

Tribal Nations: Pine Ridge, Rosebud, Crow Creek, Lower Brule, Cheyenne River, Standing Rock, Flandreau Santee, Sisseton-Wahpeton, and Yankton Sioux Tribal Nation

### Funding Sources

Title VII, Part C – oversight by OILP/ACL

Title VII, Part B – oversight by DSE as detailed in Section 1.5

HMAAD/Social Security Reimbursement/Ramp Funds – oversight by DSE/detailed in Sec. 1.5

Independent Living Choices (main office)

4107 South Carnegie Circle

Sioux Falls, SD 57106

(605) 362-3550

[www.ilcchoices.org](http://www.ilcchoices.org)

## 2) Western Resources for Independent Living; (SPIL signatory)

### Geographic Area/Counties Served - all core services provided

Rapid City: Pennington, Custer, Fall River, Haakon, and Jackson Counties

Spearfish: Lawrence, Meade, Butte, Harding, and Perkins Counties

Pierre: Hughes, Sully, Stanley, Jones, Mellette, Lyman, and Tripp Counties

### Funding Sources

Title VII, Part C – oversight by OILP/ACL

Title VII, Part B – oversight by DSE as detailed in Section 1.5

HMAAD/Social Security Reimbursement/Ramp Funds – oversight by DSE/detailed in Sec. 1.5

Western Resources for Independent Living (main office)

909 East St. Patrick Street, Ste 4

Rapid City, SD 57701

(605) 718.1930

<https://wril.org/>

The CILS identified above provide all services through the provision of Part B, Part C funds and other funds. The core services are the foundation of all services in South Dakota. Each CIL augments the five core services with other services' needs specific to the geographical area. It is expected that although services vary from one center to another, core services remain the most frequently provided across the state. The SILC approved a policy several years ago to verify that CILs in SD are eligible to sign the SPIL and meet all applicable requirements (meets the definition of a CIL as defined in the Rehabilitation Act). The policy outlines that the SILC will utilize a copy of the CIL's annual Notice of Award (NOA) for Part C funds from ACL to verify eligibility. The CILs submit a copy of the NOA to the SILC annually.

Any consideration of financial need is applied uniformly so that all individuals who are eligible for IL services are treated equally. Written policies and consumer documentation required by 34 CFR 364.59 (d) are kept by the service provider. IL services are provided free of charge to all individuals who are eligible. A CIL may provide a time limited training program, e.g., youth summer camp, and they may choose to charge a registration fee to help cover related costs (speakers, materials). Registration information/fees are shared with IL Network partners.

CILs can assist with assistive technology equipment/programs such as the Telecommunication Adaptive Devices (TAD) and Home Modification/Assistive Devices (HMAD) Programs. The provision of assistive technology equipment from these programs is dependent on the availability of funds and the individual meeting financial need requirements.

Funds for the HMAD Program can purchase equipment or home modifications for an individual being served by the IL program. This program requires a financial needs test and establishes a maximum financial assistance amount of \$10,000 for the consumers lifetime. The financial needs test takes into account the individual's income and resources, and it is applied uniformly to all individuals who need this service. Situations may occur where there are unique and/or unusual circumstances regarding family size, income and extenuating circumstances that warrant special consideration. Properly documented justifications of these cases can be approved by the DSE's IL Program Specialist.

For services provided directly by the CILs, each entity maintains consumer service records documenting eligibility based on existing medical records or self-reported information from the consumer. The CILs maintain information and referral data so that consumers can be referred to other appropriate services/agencies. The CILs provide independent living services to any individual present in the state, who meets eligibility requirements, without regard to race, color, religion, national origin, sex, gender identity, sexual orientation, or type of disability and in accordance with 34 CFR 364.4(b).

Each of the CILs will assure that individuals with significant disabilities within its designated service area that are otherwise eligible for services; are identified in its consumer eligibility process and determined eligible for and provided with IL services. There are no specific residency requirements for the provision of IL Services. The CILs recognize that there are limited resources available to SD residents. Resources are not limited to funding alone; this can include access to contractors and staff time to identify a few. CIL staff must provide coverage to a territory which requires several hours of travel in order to meet with participants in their home. For example, a CIL staff member from the Spearfish office traveling to meet a participant in Bison must drive 132 miles,



one way. In addition, referrals from individuals living in a bordering state are referred to a CIL in their local area.

CILs will be responsible for following its established consumer eligibility determination process to assure that eligible consumers have access to their services. All potential consumers are prescreened for eligibility for IL services in a manner that meets the requirements of 34 CFR 364.51 prior to the provision of services.

CILs maintain a consumer service record that includes either a written IL plan, mutually agreed upon by the consumer and IL staff, or a signed waiver stating that an IL plan is unnecessary. Each entity is responsible for following its identified method of assuring that consumers are provided the opportunity to develop or waive an Independent Living Plan (ILP) and that their decision is indicated via signature. Furthermore, individuals choosing to develop an ILP will be assisted by their corresponding CIL staff in doing so.

The CILs provide information to every consumer in written and other accessible formats, about the purpose and availability of the Client Assistance Program(CAP), including ways by which to contact the CAP program. Each CIL is responsible for following its policies of assuring that consumers are notified of the availability of the CAP program in SD and related contact information in formats that are accessible to the individual being served.

CILs have written policies that assure the confidentiality of all personal information. They will have written policies concerning release of information forms, which will comply with 34 CFR 364.56 (a) and HIPPA. Each CIL will have the responsibility for following its policies, which assures consumer information is kept confidential, as well as policies guiding the use of signed releases of information prior to sharing consumer information with other service providers or entities.

### 3.2 Expansion and Adjustment of Network

Plan and priorities for use of funds, by funding source, including Part B funds, Part C funds, State funds, and other funds, whether current, increased, or one-time funding, and methodology for distribution of funds, and use of funds to build capacity of existing Centers, establish new Centers, and/or increase statewide reach of Network.

Served, unserved and underserved were defined by the IL Network through the analysis of existing consumer service data, consumer surveys, listening sessions, focus groups, needs assessments and direct observation. The IL Network reviewed data and other information as outlined in Section 2.2. and agreed that all 66 counties and Tribal Nations are served in SD; there is no unserved area; and there are no unserved populations in the state.

The IL Network recognizes that areas of the state are underserved, as outlined in Section 2.2. Fifteen counties were identified when looking at the number of people served was less than ½ the percentage of the total population that is currently being served (.33% of the total SD population received IL services and ½ that is .165%). These counties fell under the .165% threshold. The IL Network will focus on efforts to improve service delivery to individuals with disabilities residing in these areas and to those who are Native American, Hispanic/Latino, African American/Black, Asian/Asian American, and other minority groups that are increasing in the state. The IL Network identified objectives to better serve individuals with disabilities in the identified counties.

The IL Network agrees that the minimum funding level established for a CIL is the amount of Part C funds awarded by the Department of Health and Human Services, Administration for Community Living, and Independent Living Program to each CIL. The priority is to use available funds to support the existing Part C CILs (ILC North, ILC South, ILC Native American, and WRIL) at the level of funding of the previous year.

Part C funds are divided between the two existing centers according to a formula established by ACL. The FY 2023 Part C Funding Awards identified that ILC received a total of \$809,025 in Part C funds from ACL (IL South/ \$596,091, IL North/\$45,160 and IL Native American/\$167,774), which equates to 74% of the total Part C funds. WRIL receives a total of \$285,972 from ACL in Part C funds, which equates to 26% of the total Part C funds coming to SD. WRIL serves 16 counties and ILC serves 50 counties along with the nine Tribal Nations. This corresponds to ILC serving 74% of the counties in the state and WRIL serving 26% of the counties. When looking at the total number of consumers served during a one-year period, this number showed that ILC served 78% of the total consumers served and WRIL served 22% of the total served.

The IL Network agrees that the minimum funding level for a CIL in South Dakota is estimated to be \$250,000. Establishing a new CIL in SD is NOT a priority for the IL Network. Should increases to funding be designated for the establishment of a new CIL, a significant portion of that funding would be spent on overhead and infrastructure. The current CILs maintain offices in major population centers across the state and have additional staff designated to serve outlying counties/areas. The CILs administer multiple programs and services with various funding sources that carry a portion of fixed overhead costs. Increases in funding to existing CILs would directly contribute to increased staff and consumer services.

In the event that a Part C grant to a CIL is relinquished or removed, or if a CIL closes, the unused funding would be subject to the competitive discretionary grant process established by ACL/OILP and made available to existing and prospective new CILs.

This grant process would re-establish a new center in the vacated area. If there are no fundable applicants, then the funds would be distributed to the other CILs proportionate to their current Part C award to serve their current service areas. The vacated area would remain unserved by Part C funds and the DSE could reallocate the Part B funds and other funds to cover this unserved area to the existing CIL to cover the unserved area.

In order for a CIL to receive state funds, they must be in compliance with the federal Rehabilitation Act Standards and Indicators and other applicable federal regulations; and be in compliance with their financial contracts with the state agency (DSE), which includes the State of South Dakota's fiscal requirements. If the DSE determines that a current CIL who contracts with the DSE is no longer eligible (not meeting the state contract requirements), or if a CIL relinquishes state funds, those state funds can be redistributed proportionately to the remaining CIL who is eligible to contract with.

The IL Network has not identified a need to develop a plan for expanding the existing network of CILs. It has identified the reality that even though the entire population has access to some level of IL services, the same scope of services may not be available to persons in all portions of the state. As noted earlier, the two CILs maintain offices in major population centers across the state and have additional staff designated to serve outlying counties.

The CILs administer multiple programs and services with various funding sources that carry a portion of fixed overhead costs. Increases in funding to existing CILs would directly contribute to increased staffing and consumer services. ILC maintains offices in nine communities and WRIL maintains offices in 3 communities. Each CIL examines its own staffing needs based upon various demographics, and each makes the determination of the need to relocate FTEs to various locations of the state to better serve the changing needs of participants.

Challenges in operating a CIL in SD includes overcoming the distance between communities, reaching consumers in underserved areas, as well as seasonal elements (winter, blizzards, flooding, tornadoes) and the impact of these elements (washed out/impassable roads or bridges).

Currently, the CILs have staff offices located in numerous locations in their respective service areas and satellite offices. If sufficient additional funding were to become available, the most productive use of those funds to expand the CIL network capacity would be to add additional staff and/or satellite offices, depending upon the strategic plan of each CIL.

Distribution of state and other funds to the CILs will be determined by the following:

- Each center has a target number of units that is based on the total funds received divided by a service unit rate. If the center has shown an inability to meet or exceed their target units without acceptable justification, this can impact future increases in funding.
- The DSE is responsible for accounting services. If program evaluations are sub-standard, this can impact future funding.
- If the center is providing services to an acceptable degree, the funding is at least equal to the previous year's Part B funds for that center. If inflationary increases are approved, those are distributed by a similar ratio.
- Centers that meet or exceed service unit targets and are in good standing; centers may obtain additional funding if it is available.
- If a center consistently fails to effectively provide IL services as evidenced by poor evaluations, the inability to reach service targets, failed attempts at corrective action, and unwillingness to accept technical assistance, the Part C funding is the minimal funding level.

Three funding sources currently support the provision of independent living services in the state: Title VII/Part C; Title VII/Part B; and funds from the DSE (Section 101/Innovation and Expansion, Social Security Reimbursement, and other funds).

The IL Network agrees that if new funds (Part B, Part C, one-time funds, etc.) are made available to the CILs, that the additional funds be distributed to the existing CILs (ILC South, ILC North, ILC Native American, and WRIL) proportionate to their current funding in order to maintain or increase the level of services in their respective areas. Potential increases in funding to the existing CILs would directly contribute to increased staffing and consumer services.

The IL Network Partners agree that in the event that plan/formula for adjusting the distribution of funds are cut/reduced including Part C, other federal or non-federal funds; this will be absorbed by the existing CIL proportionate to the prior totals received by the CIL.

The IL Network agrees that IL services are available throughout the entire state. The CILs service areas will remain the same for the duration of this SPIL. If additional funding becomes available, CILs will utilize funds to enhance operations in their current service areas.

If the need arises to examine the areas served by each CIL in the future, i.e., reassign a county/counties, or Tribal Nation(s) to a different CIL; this will involve a meeting of the IL Network. Discussion points will include the county/area to be assigned/reassigned, and whether there will be any changes required for the distribution of Part B funds. Agreement will be obtained from each CIL director before

moving forward. The DSE will be involved with these discussions because changes might impact the level of Part B funds split among the CILs. Any changes to a CIL service area will be detailed and agreed upon by the SILC, CILs and DSE in a SPIL amendment.

## **Section 4: Designated State Entity**

Division of Rehabilitation Services will serve as the entity in South Dakota designated to receive, administer, and account for funds made available to the state under Title VII, Chapter 1, Part B of the Act on behalf of the State. (Sec. 704(c))

### **4.1 DSE Responsibilities**

- (1)** receive, account for, and disburse funds received by the State under this chapter based on the plan;
- (2)** provide administrative support services for a program under Part B, and a program under Part C in a case in which the program is administered by the State under section 723;
- (3)** keep such records and afford such access to such records as the Administrator finds to be necessary with respect to the programs;
- (4)** submit such additional information or provide such assurances as the Administrator may require with respect to the programs; and
- (5)** retain not more than 5 percent of the funds received by the State for any fiscal year under Part B. for the performance of the services outlined in paragraphs (1) through (4).

### **4.2 Administration and Staffing: DSE Assurances**

Administrative and staffing support provided by the DSE.

SD's Division of Rehabilitation Services (DSE) awards Part B funds directly to the CILs for the provision of IL services. Part B funds are also used to fund the SILC resource plan. The DSE provides fiscal oversight of these funded activities and provides technical assistance to the CILs as requested. DSE staff monitors the agreements with the CILs annually, and ongoing as needed. The DSE does not retain any Part B funds for administrative costs.

Part B funds utilized in State contracts with CILs will supplement Part C funds and not duplicate the funding of services supported by Part C funds. All Part B funds not utilized in the SILC resource plan are used to support the provision of IL services. The primary focus of these activities is the provision of the five core services.

### **4.3 State- Imposed Requirements**

State-imposed requirements contained in the provisions of this SPIL including:

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

The DSE must comply with the following State fiscal requirements when distributing funds through contractual relationships. The contract between the DSE and Black Hills Special Services Cooperative is such a contract. Contracts of these types over \$50,000 need to go through a Request for Proposal Process as laid out in SDCL 5-18D-17 to 5-18D-22.

The DSE must comply with the following State fiscal requirements when distributing funds through contractual relationships:

- Request for Proposal Process for professional services required by SDCL 5-18D-17 to 5-18D-22
- SB162 – State Board of Internal Control
- 2 CFR Section 200.330 – Federal Pass-Through Funds

A contract between the DSE and Black Hills Special Services Cooperative (BHSSC) is a consulting agreement to provide support services to the SILC. The Consultant is an independent contractor and not an officer, agent, or employee of the State of South Dakota. The agreement is the result of a request for proposal process, and the length of the contract is for one year with the option of four, one-year extensions. The agreement outlines what the Consultant agrees to in providing support services to the Board of Vocational Rehabilitation (the State Rehabilitation Council) and the Statewide Independent Living Council.

The agreement contains the Scope of work and budget attachments. The Scope of Work outlines how the operations of the SILC will be carried out. The DSE agrees to provide technical assistance regarding the DHS/DRS rules, regulations, and policies to the Consultant and to assist in the correction of problem areas identified by State monitoring activities. The Scope of Work outlines that the contractor will provide administration and support services for the SILC. It further outlines that SILC staff will be directed by the SILC Chairperson and SILC members to perform outlined functions to carry out the duties of the SILC. Thus, the SILC is autonomous in fulfilling its duties, authorities, and responsibilities.

The agreement outlines funds from different sources, i.e., Part B and VR Sec. 101 Innovation and Expansion funds which make up the SILC's resource plan. Major areas funded through the use of VR Sec. 101 I & E funds are SILC staff salaries

and benefits, supplies, SILC staff travel and training. Part B funds are utilized to support SILC member travel, CIL staff training, SILC meeting expenses and SILC strategic planning. These funds support SILC activities which must be completed to meet the goals and objectives of the SPIL. There are no conditions or requirements in the SILC resource plan or in the agreement that would compromise the independence of the SILC. The agreement purchases services and supports for the SILC and is administered by the DSE, however, the SILC's executive committee reviews and approves the statement of work prior to the contact bid letting. The DSE consults with the SILC chairperson prior to approving the contract. Any contract or budget amendment affecting the SILC would be reviewed and approved by the SILC's executive committee and reported to the full SILC.

#### 4.4 Grant Process & Distribution of Funds

Grant processes, policies, and procedures to be followed by the DSE in the awarding of grants of Part B funds.

The DSE awards Part B funds directly to the CILs for the provision of IL services. The contracts disperse Part B and other state and federal funds. Part B funds are also used to fund the SILC resource plan, as noted above under Section 4.3. The CILs are independent contractors and not officers, agents, or employees of the State of South Dakota. The contracts outline the provision of IL services and the service coverage area. The period of performance is one year. DSE staff monitors the contracts with the CILs annually, and ongoing as needed. DSE staff provides direct oversight of these funded activities and technical assistance to the CILs as requested.

The CILs are grantees which agree to provide services listed in the Scope of Work and provide the Core Services, both are attachments to the contracts. The contracts outline the CILs agreement to submit required information using specified forms, including the Client Satisfaction Survey Form and the Center for Independent Living Quarterly Report. The CILs agree to submit reimbursement requests within thirty days following the end of the month in which costs were incurred and the DSE agrees to reimburse allowable costs when properly submitted. The contracts outline the State's agreement to provide technical assistance regarding the DHS/DRS's rules, regulations, and policies to assist in the correction of problem areas identified by the State's monitoring activities.

The contracts with the CILs contain a Scope of Work attachment. The CILs, as the providers, agree to provide IL services to individuals in accordance with all IL program requirements as referenced in the contract and the IL Manual. The CILs agree to provide a negotiated number of units as identified as a goal for each CIL

to deliver through the contract. The Scope of Work contains language that states Part B funds utilized in State contracts with CILs will supplement Part C funds and not duplicate the funding of services supported by Part C funds. The State contract will make monthly payments above the required units of services that are funded by Part C funds. The contracts contain language that the SILC approved the use of up to 15% of combined Part C and state funds to be set aside from the Part C budget to provide home modifications and assistive devices (HMAD) to independent living clients. Additional language is included outlining that services are provided statewide, and clients have the right to choose their service provider, are notified of the provider in their geographic area, and can designate a different provider for their independent living services by completing an authorization of provider choice form. The second attachment outlines the Core Services to be provided. There is no language in the contracts that limits, expands, or alters the requirements outlined in the SPIL.

#### 4.5 Oversight Process for Part B Funds

The oversight process to be followed by the DSE

The DSE reimburses the CIL's based on a unit of service cost. The DSE works closely with the DHS's Office of Budget and Finance to assure that claims are paid accurately and on time, and that these fiscal transactions meet EDGAR requirements.

The DSE uses a modified accrual basis of accounting consistent with most other agencies in the State of South Dakota. Modified accrual accounting is used to show the flow of financial assets to the funds and balances available for spending at year end. Each of the CILs follow its established fiscal policies and cost allocation plan, and they are responsible for monitoring and maintaining records of their expenditures to assure compliance with EDGAR fiscal and accounting requirements.

The DSE maintains supporting documentation of accounting transactions for on site for the current and prior fiscal years. The State of South Dakota's Records Center maintains supporting documentation, as required by state and federal regulation, for at least three years after the final financial status report is filed for each fiscal year.

The DSE completes and submits all required annual performance and financial reports, as well as any others, with the Secretary determines to be appropriate. In addition, the DSE provides access to the Commissioner and Comptroller General, or their representatives, when requested, for the purpose of conducting audits, examinations, and compliance reviews. The IL Network routinely consults with representatives of the Commissioner, seeking needed technical assistance relating to the delivery of IL services.



#### 4.6 722 vs. 723 State

Check one:

       722 (if checked, will move to Section 5)

       723 (if checked, will move to Section 4.7)

#### 4.7 723 States

Order of priorities for allocating funds amounts to Centers, agreed upon by the SILC and Centers, and any differences from 45 CFR 1329.21 & 1329.22.

How state policies, practices, and procedures governing the awarding of grants to Centers and oversight of the Centers are consistent with 45 CFR 1329.5, 1329.6, & 1329.22.

### **Section 5: Statewide Independent Living Council (SILC)**

#### 5.1 Establishment of SILC

How the SILC is established and SILC autonomy is assured.

SD's SILC was established under the State of South Dakota, Office of the Governor, Executive Order 93-6; signed by Governor Walter D. Miller on June 9, 1993. The Executive Order addresses the role of the SILC, its composition, appointing authority, and SILC duties. It also directs that the Secretary of the Department of Human Services be the designated program agent for Independent Living programs. The Executive Order outlines that the Department of Human Services (DHS) shall have a representative council of persons with disabilities who will advise the Secretary of Independent Living programs.

The Division of Rehabilitation Services falls under the auspices of the DHS. The Division administers the Vocational Rehabilitation, Assistive Daily Living Services, Deaf Services/Interpreter Certification, and Independent Living Programs, as well as Disability Determination Services. As noted in Section 1.5 Financial Plan, under the Narrative Section, the Division serves as the Designated State Entity, providing fiscal oversight for the Part B funds. The autonomy and independence of the SILC, with respect to the DSE and all other State agencies, is ensured by the DSE only acting as a fiscal agent. There are no conditions or requirements that are imposed by the DSE or any other entity that may compromise the independence of the SILC.

The DSE has an agreement with Black Hills Special Services Cooperative for consultant services, as reported under Section 4.3. The consultant is an independent contractor and not an officer, agent, or employee of the State of South Dakota. This agreement outlines support services to the Board of Vocational Rehabilitation (South

Dakota's Rehabilitation Council) and the Statewide Independent Living Council. SILC staff is supervised and evaluated by the SILC leadership or the SILC as a whole.

## 5.2 SILC Resource plan

Resources (including necessary and sufficient funding, staff/administrative support, and in-kind), by funding source and amount, for SILC to fulfill all duties and authorities.

Process used to develop the Resource Plan.

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

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

The SILC's Resource Plan allocates federal funding from VR Section 101 Innovation and Expansion funds for the operation of the SILC in order to carry out its duties and authorities. The current agreement to provide consultant services includes the staff support needs for both the SILC and the BVR. The SILC receives approximately \$89,028 annually in grant funding to support SILC operations and activities to fulfill its duties and authorities. The total \$89,028 breaks down to \$34,571 in Chapter 1, Part B funds, \$50,616 in VR Sec. 101 (Innovation and Expansion) funds and \$3,841 in other state funds to provide staff support (staff salaries and benefits) for both the SILC and BVR. A portion of these funds also support total supplies/office operations (materials, printing, equipment, telephone, rent, copier, and insurance), and staff travel and training.

The current agreement for the time period of January 1, 2023, through December 31, 2023, reflects a total of \$36,645 in Part B funds and \$4,072 in State matching funds to support SILC member travel, CIL staff training, SILC meeting expenses and SILC Strategic Planning activities. SILC member travel includes all necessary expenses incurred in the performance of their duties on the SILC to include attendant care, interpreter services, reader/driver services necessary to allow the full participation of the SILC member. SILC meeting expenses include SILC quarterly meetings, committee meetings, public hearing expenses, costs for alternative formats for meeting related information, interpreters, other accommodations, and other costs as appropriate.

Budget figures are determined on historical costs as a consultant agreement has been utilized to provide SILC staff and support services since 1994. The agreement identifies that Black Hills Special Services Cooperative submit a bill for service to the DSE within 30 days following the end of each month in which services are provided. This ensures timeliness, efficiency and prevents undue hardship of the SILC and also ensures continual, uninterrupted operations and effectiveness of the SILC. The current

allocation plan funds SILC activities outlined to meet the goals and objectives of the SPIL.

SILC staff assists the SILC in developing an annual budget and monitors its current year expenditures, and any modifications during the year are approved by the full SILC. The agency providing staff support has an accounting division, which completes required accounting functions. At each of the quarterly SILC meetings, SILC staff presents a financial report on expenditures to date and remaining balances. The contracting agency submits requests for reimbursement of expenses to the DSE on a monthly basis.

There are no conditions or requirements in the SILC Resource Plan that would compromise the independence of the SILC. The contract to purchase staff support services for the SILC is administered by the DSE. The SILC's executive committee reviews and approves the scope of work prior to the contract bid letting. The DSE consults with the SILC Chairperson prior to approving the contract. Any contract or budget amendments affecting the Council are reviewed and approved by the SILC's executive committee and reported to the full SILC.

The consultant agreement is in place to provide the necessary administrative and support services needed by the SILC to carry out its duties and responsibilities. SILC staff is supervised and evaluated by the SILC leadership or the SILC as a whole. Assignments made to SILC staff are made by the SILC Chairperson or their representative, thus there are no conflicts of interest arising due to assignments coming from others. The consultant agreement to purchase support services is a multi-year contract and evaluated annually. The DSE seeks feedback from the chairpersons of the involved parties on the quality of services being provided, the adequacy of the level of staff support being provided, and their interest in continuing this arrangement. Some examples of activities carried out by staff include:

Complete all logistical arrangements for regular and special meetings of the SILC.

Handle correspondence including minutes, public notices, letters, press releases and reports.

Provide support to committees, including scheduling, facility arrangements, material preparations.

Schedule, promote and conduct community forums to obtain public comment for the SPIL.

Conduct research, gather information and meet with collaborating organizations to assist the SILC to accomplish its goals and objectives, as directed by the SILC.

Assist in preparing and submitting the annual PPR and the SPIL.

Complete travel arrangements for SILC members and make reimbursement payments for allowable expenses.

Make arrangements and process payment for allowable costs for CIL staff training activities supported by the SILC, per their direction.

Provide other administrative duties as directed by the SILC Chairperson and SILC executive committee to carry out SILC activities between meetings.

### 5.3 Maintenance of SILC

How State will maintain SILC over the course of the SPIL.<sup>1</sup>

Members of the SILC are appointed by the Governor of South Dakota, this includes ex-officio members representing various agencies of State government. When vacancies arise, the SILC solicits and recruits potential members considering factors of disability, disability type, geographic representation, ethnicity, and background knowledge of Independent Living. When individuals apply, the SILC reviews the nominations submitted and forwards information to the Governor for consideration and appointment. Information contains the composition makeup of existing members, what is needed in order for the SILC to meet composition requirements, demographics of current members seeking reappointment and the demographics of nominees seeking appointment.

The Executive Order establishing the SILC and the SILC's bylaws outline composition and qualifications of SILC members as well as terms of appointments (length of term, number of terms, and removal/vacancies). The language in the bylaws meets the requirements of Section 705, including composition and appointments of members. The SILC Chairperson, Vice Chairperson and two Members-At-Large are elected from and by the voting members. No member of the SILC may serve more than two consecutive three-year terms. When vacancies occur, the replacements are appointed by the Governor, either at the time annually when new appointments are made or during the interim, depending on the desire of the Governor. SILC membership term limits are maintained by reviewing membership and terms during the December meeting and a solicitation for nominations is conducted in January.

The SILC is comprised of 15 members. Nine members are persons with disabilities, and they are not employed by a state agency or a CIL. Staff of the DSE and SBVI are both ex-officio members of the SILC. The total number of voting members is 12, and one of the voting members is a CIL director chosen by the CIL directors within the state. Several members are representatives of disability organizations and advocates of individuals with disabilities, and several members are parents of children and/or guardians of adults with disabilities (all are voting members). The current SILC membership represents various types of disability groups; members have physical, mental, cognitive, sensory, and multiple disabilities. The South Dakota SILC also includes a representative from the SD Housing Developmental Authority, who is an ex-officio nonvoting member. Current membership also provides statewide representation.

Describe how the specific SILC-staffing requirements listed in the SPIL Instrument will be addressed. Concisely describe or cite relevant written policies, procedures, by-laws, technical assistance, and monitoring activities, or other practices.

The contract or agreement to provide support services to the SILC contains a Scope of Work attachment. The Scope of Work outlines what is necessary in order to carry out the operations for the SILC, including specifically what the contractor will provide in terms of administration and support services for the SILC. The contract includes language that SILC staff will be directed by the SILC Chairperson and SILC members to perform outlined functions to carry out the duties of the SILC to ensure it is autonomous in fulfilling its duties, authorities, and responsibilities. The SILC bylaws include an article "SILC Staff" affirming that "Technical assistance and staff support shall be provided to the SILC by the designated state entity through an agreement with an outside entity".

The autonomy and independence of the SILC is ensured by the DSE acting only as a fiscal agent. SILC staff is supervised and evaluated by the SILC leadership or the SILC as a whole. The SILC Chairperson gives primary direction to staff. Assignments made to SILC staff are made by the SILC chairperson or their representative. Thus, no conflict of interest arises due to assignments coming from others. SILC staff and the SILC Executive Committee have regular contact, including conference calls and ZOOM meetings, to conduct SILC business. There are no staff assignments made that would create a conflict of interest. The SILC operates following federal regulations, Executive Order 93-6, SILC bylaws, Member Policies and Procedures, and the contract for consulting agreement, to ensure the SILC has the autonomy to operate and conduct its required duties and granted duties.

## **Section 6: Legal Basis and Certifications**

### 6.1 Designated State Entity (DSE)

The state entity/agency designated to receive and distribute funding, as directed by the SPIL, under Title VII, Part B of the Act is **Division of Rehabilitation Services**. Authorized representative of the **DSE Eric Weiss, Title Director**.

### 6.2 Statewide Independent Living Council (SILC)

The Statewide Independent Living Council (SILC) that meets the requirements of section 705 of the Act and is authorized to perform the functions outlined in section 705(c) of the Act in the State is **South Dakota Statewide Independent Living Council**.

### 6.3 Centers for Independent Living (CILs)

The Centers for Independent Living (CILs) eligible to sign the SPIL, a minimum of 51% whom must sign prior to submission, are:

**Independent Living Choices (ILC South, ILC North, Native American ILC)**

**Western Resources for Independent Living (WRIL)**

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### 6.4 Authorizations

6.4.a. The SILC is authorized to submit the SPIL to the Independent Living Administration, Administration for Community Living. **Yes**\_\_\_\_\_ (Yes/No)

6.4.b. The SILC and CILs may legally carryout each provision of the SPIL. **Yes**\_\_ (Yes/No)

6.4.c. State/DSE operation and administration of the program is authorized by the SPIL. **Yes** (Yes/No)

## **Section 7: DSE Assurances**

**Eric Weiss, Director** acting on behalf of the DSE **Division of Rehabilitation Services** located at 3800 East Hwy 34, c/o 500 East Capitol Avenue, Pierre, SD 57501; 1.605.773.3195; [Eric.Weiss@state.sd.us](mailto:Eric.Weiss@state.sd.us) 45 CFR 1329.11 assures that:

7.1. The DSE acknowledges its role on behalf of the State, as the fiscal intermediary to receive, account for, and disburse funds received by the State to support Independent Living Services in the state based on the plan;

7.2. The DSE will assure that the agency keeps appropriate records, in accordance with federal and state law, and provides access to records by the federal funding agency upon request;

- 7.3. The DSE will not retain more than 5 percent of the funds received by the State for any fiscal year under Part B for administrative expenses;<sup>1</sup>
- 7.4. The DSE assures that the SILC is established as an autonomous entity within the state as required in *45 CFR 1329.14*;
- 7.5. The DSE will not interfere with the business or operations of the SILC that include but are not limited to:
  1. Expenditure of federal funds
  2. Meeting schedules and agendas
  3. SILC board business
  4. Voting actions of the SILC board
  5. Personnel actions
  6. Allowable travel
  7. Trainings
- 7.6. The DSE will abide by SILC determination of whether the SILC wants to utilize DSE staff:
  1. If the SILC informs the DSE that the SILC wants to utilize DSE staff, the DSE assures that management of such staff with regard to activities and functions performed for the SILC is the sole responsibility of the SILC in accordance with Sec. 705(e)(3) of the Act (Sec. 705(e)(3), 29 U.S.C.796d(e)(3)).
- 7.7. The DSE will fully cooperate with the SILC in the nomination and appointment process for the SILC in the state;
- 7.8. The DSE shall make timely and prompt payments to Part B funded SILCs and CILs:
  1. When the reimbursement method is used, the DSE must make a payment within 30 calendar days after receipt of the billing, unless the agency or pass-through entity reasonably believes the request to be improper;
  2. When necessary, the DSE will advance payments to Part B funded SILCs and CILs to cover its estimated disbursement needs for an initial period generally geared to the mutually agreed upon disbursing cycle; and
  3. The DSE will accept requests for advance payments and reimbursements at least monthly when electronic fund transfers are not used, and as often as necessary when electronic fund transfers are used, in accordance with the provisions of the Electronic Fund Transfer Act (15 U.S.C. 1693-1693r).

The signature below indicates this entity/agency's agreement to: serve as the DSE and fulfill all the responsibilities in Sec. 704(c) of the Act; affirm the State will comply with

the aforementioned assurances during the three-year period of this SPIL; and develop, with the SILC, and ensure that the SILC resource plan is necessary and sufficient (in compliance with section 8, indicator (6) below) for the SILC to fulfill its statutory duties and authorities under Sec. 705(c) of the Act, consistent with the approved SPIL.<sup>1</sup>

**Eric Weiss, Director Division of Rehabilitation Services**

Name and Title of DSE director/authorized representative

Signature

Date

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

**Section 8: Statewide Independent Living Council (SILC) Assurances and Indicators of Minimum Compliance**

**8.1 Assurances**

**Ryan Groeneweg** acting on behalf of the SILC **South Dakota Statewide Independent Living Council** located at **221 South Central Avenue, Ste 33, Pierre, SD 5750; 605.494.3613** [Ryan.Groeneweg@usd.edu](mailto:Ryan.Groeneweg@usd.edu) 45 CFR 1329.14 assures that:

- (1)The SILC regularly (not less than annually) provides the appointing authority recommendations for eligible appointments;
- (2)The SILC is composed of the requisite members set forth in the Act;<sup>1</sup>
- (3)The SILC terms of appointment adhere to the Act;<sup>1</sup>
- (4)The SILC is not established as an entity within a state agency in accordance with 45 CFR Sec. 1329.14(b);
- (5)The SILC will make the determination of whether it wants to utilize DSE staff to carry out the functions of the SILC;
  - a. The SILC must inform the DSE if it chooses to utilize DSE staff;
  - b. The SILC assumes management and responsibility of such staff with regard to activities and functions performed for the SILC in accordance with the Act.<sup>1</sup>
- (6)The SILC shall ensure all program activities are accessible to people with disabilities;
- (7)The State Plan shall provide assurances that the designated State entity, any other agency, office, or entity of the State will not interfere with operations of the SILC, except as provided by law and regulation and;



- (8) The SILC actively consults with unserved and underserved populations in urban and rural areas that include, indigenous populations as appropriate for State Plan development as described in Sec. 713(b)(7) the Act regarding Authorized Uses of Funds.<sup>1</sup>

## Section 8.2 Indicators of Minimum Compliance

Indicators of minimum compliance for Statewide Independent Living Councils (SILC) as required by the Rehabilitation Act (Section 706(b), 29 U.S.C. Sec 796d-1(b)), as amended and supported by 45 CFR 1329.14-1329.16; and Assurances for Designated State Entities (DSE) as permitted by Section 704(c)(4) of the Rehabilitation Act (29 U.S.C. Sec. 796c(c)(4)), as amended.

### (a) STATEWIDE INDEPENDENT LIVING COUNCIL INDICATORS. –

(1) SILC written policies and procedures must include:

- a. A method for recruiting members, reviewing applications, and regularly providing recommendations for eligible appointments to the appointing authority;
- b. A method for identifying and resolving actual or potential disputes and conflicts of interest that are in compliance with State and federal law;
- c. A process to hold public meetings and meet regularly as prescribed in 45 CFR 1329.15(a)(3);
- d. A process and timelines for advance notice to the public of SILC meetings in compliance with State and federal law and 45 CFR 1329.15(a)(3);
- e. A process and timeline for advance notice to the public for SILC “Executive Session” meetings, that are closed to the public, that follow applicable federal and State laws;
  - i. “Executive Session” meetings should be rare and only take place to discuss confidential SILC issues such as but not limited to staffing.
  - ii. Agendas for “Executive Session” meetings must be made available to the public, although personal identifiable information regarding SILC staff shall not be included;
- f. A process and timelines for the public to request reasonable accommodations to participate during a public Council meeting;
- g. A method for developing, seeking and incorporating public input into, monitoring, reviewing and evaluating implementation of the State Plan as required in 45 CFR 1329.17; and

- h. A process to verify centers for independent living are eligible to sign the State Plan in compliance with 45 CFR 1329.17(d)(2)(iii).
- (2) The SILC maintains regular communication with the appointing authority to ensure efficiency and timeliness of the appointment process.
- (3) The SILC maintains individual training plans for members that adhere to the SILC Training and Technical Assistance Center's SILC training curriculum.
- (4) The SILC receives public input into the development of the State Plan for Independent Living in accordance with 45 CFR 1329.17(f) ensuring:
  - a. Adequate documentation of the State Plan development process, including but not limited to, a written process setting forth how input will be gathered from the state's centers for independent living and individuals with disabilities throughout the state, and the process for how the information collected is considered.
  - b. All meetings regarding State Plan development and review are open to the public and provides advance notice of such meetings in accordance with existing State and federal laws and 45 CFR 1329.17(f)(2)(i)-(ii);
  - c. Meetings seeking public input regarding the State Plan provides advance notice of such meetings in accordance with existing State and federal laws, and 45 CFR 1329.17(f)(2)(i);
  - d. Public meeting locations, where public input is being taken, are accessible to all people with disabilities, including, but not limited to:
    - i. proximity to public transportation,
    - ii. physical accessibility, and
    - iii. effective communication and accommodations that include auxiliary aids and services, necessary to make the meeting accessible to all people with disabilities.
  - e. Materials available electronically must be 508 compliant and, upon request, available in alternative and accessible format including other commonly spoken languages.
- (5) The SILC monitors, reviews and evaluates the State Plan in accordance with 45 CFR 1329.15(a)(2) ensuring:
  - a. Timely identification of revisions needed due to any material change in State law, state organization, policy or agency operations that affect the administration of the State Plan approved by the Administration for Community Living.
- (6) The SILC State Plan resource plan includes:
  - a. Sufficient funds received from:

- i. Title VII, Part B funds;
    - 1. If the resource plan includes Title VII, Part B funds, the State Plan provides justification of the percentage of Part B funds to be used if the percentage exceeds 30 percent of Title VII, Part B funds received by the State;
  - ii. Funds for innovation and expansion activities under Sec. 101(a)(18) of the Act, 29 U.S.C. Sec. 721(a)(18), as applicable;
  - iii. Other public and private sources.
- b. The funds needed to support:
- i. Staff/personnel;
  - ii. Operating expenses;
  - iii. Council compensation and expenses;
  - iv. Meeting expenses including meeting space, alternate formats, interpreters, and other accommodations;
  - v. Resources to attend and/or secure training and conferences for staff and council members and;
  - vi. Other costs as appropriate.

The signature below indicates the SILC’s agreement to comply with the aforementioned assurances and indicators:

**Ryan Groeneweg, SILC Chairperson**

Name of SILC chairperson

Signature

Date

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

**Section 9: Signatures**

The signatures below are of the SILC chairperson and at least 51 percent of the directors of the centers for independent living listed in section 6.3. These signatures indicate that the **South Dakota Statewide Independent Living Council** and the centers for independent living in the state agree with and intend to fully implement this SPIL’s content. These signatures also indicate that this SPIL is complete and ready for submission to the Independent Living Administration, Administration for Community Living, U.S. Department of Health and Human Services.

The effective date of this SPIL is October 1, 2024 (year)

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SIGNATURE OF SILC CHAIRPERSON

DATE

**Ryan Groeneweg, SILC Chairperson**

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NAME OF SILC CHAIRPERSON

Independent Living Choices (ILC)

---

NAME OF CENTER FOR INDEPENDENT LIVING (CIL)

Matt Cain, ILC Director

---

SIGNATURE OF CIL DIRECTOR

DATE

---

NAME OF CIL DIRECTOR

**Western Resources for Independent Living (WRIL)**

---

NAME OF CENTER FOR INDEPENDENT LIVING (CIL)

Codi Erickson, WRIL Director

---

SIGNATURE OF CIL DIRECTOR

DATE

---

NAME OF CIL DIRECTOR

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