

# New Jersey State Plan for Independent Living

October 1, 2020- September 30, 2023

## Executive Summary

The entities developing this State Plan include NJ Statewide Independent Living Council (SILC), NJ Division of Vocational Rehabilitation Services (the Designated State Entity) and the NJ Association of Centers for Independent Living.

In preparation for Plan development, three Public Forums were scheduled to obtain consumer feedback on IL needs in the state and several SILC/CIL sessions were scheduled to address Goals and Objectives, gathering of Financial Pages information, obtaining consumer input as the goals are implemented and identifying CIL signatories for the Plan.

Due to the COVID public health crisis, the Public Forums had to be cancelled. Also, the mid-March and April SILC/CIL meetings were cancelled, although meetings in February and very early March were completed.

To compensate for these cancellations, SILC added a Survey to its website and Facebook page to obtain direct consumer feedback on needs; most CILs placed the survey on their Facebook pages or websites. The survey was also distributed by other Facebook pages. As of May 31, 2020 response were received and the survey closed. SILC also arranged several conference calls for SILC and CILs, one of which included DSE participation.

A draft of the SPIL was placed on the SILC website with two ways to provide comments. First, interested parties could email the chair and or the coordinator of the SILC with comments. Second, input could be provided through a survey that was linked to the draft SPIL page. A link to the draft SPIL was sent to CIL directors for dissemination through their Social Media platforms.

A lengthy in-person SILC/CILs meeting had the agenda of establishing the mission and goals.  
> Goal 4 focuses on the many community daily living challenges facing consumers, as seen in the Survey results and as shared by CIL Directors per their own surveys and input from their consumers.

> Goal 3 focuses on raising consumer awareness of disability services in their communities and on raising governmental and other community organizations' awareness of the unique needs of citizens with disabilities.

>Goal 1 and Goal 2 are closely related. Growing the Council (goal 1) focuses on member recruitment and training and finding non-government, unrestricted income sources. Establishing

a SILC Executive Director (goal 2) is a key factor in continuing to develop those income sources, in helping NJSILC operate on a more sophisticated level and in expanding NJSILC's community advocacy (goals 3 and 4).

Completing the Fiscal Chart of the SPIL was a challenge. Heretofore, SILC had relied on DVRS to identify the fiscal numbers. However, a previous conversation with ACL coupled with PPR interactions with the DSE prompted SILC to question if all IL-related funding information was being shared. To clarify this matter, a meeting with IL, DSE and NJ Department of Labor (in which the DSE is 'placed' and to which B and I&E monies are delivered) was being planned. When the COVID crisis resulted in State office shutdowns, effective communication became problematic, especially between IL and LWD. Add to this mess the fact that the DVRS administrators were new to their positions, as were many of the LWD financial unit staff.

In light of COVID-caused cancelled meetings (NJ has been the second hardest hit state) and communication problems with key players, lack of SPIL development experience by the DSE and LWD, lack of a SILC ED and staff for organizational and clerical assistance, and the extra workload of CIL directors trying to operate without offices, completion of this SPIL was a struggle for all parties involved.

Besides resulting in a State Plan, the SPIL Development experience also:

- > moved NJSILC forward in its efforts to find an ED, long believed as a critical factor to 'growing the SILC'
- > prompted SILC to create a 'Wish List' to incorporate into the Resource Plan and into use of its current and next FY funding
- > re-focused Council on the need to fill vacant membership seats and to require increased involvement of its members
- > led to a comprehensive updating of the Council's Policies & Procedures Manual, to ensure compliance with SILC Assurances & Indicators
- > clarified IL funding amounts and sources coming to the DSE
- > identified communication weak spots among all entities
- > encouraged CILs to re-examine funding amounts and B vs C funding discrepancies

## NJSILC MISSION STATEMENT

To advocate and coordinate cost-effective, consumer-driven services that provide persons with disabilities an equal opportunity to choose their life-style, to contribute to the economy and to live life in an inclusive environment.

### GOAL 1

**Grow the Statewide Independent Living Council both size-wise and skill-wise, so it can better understand/plan for the needs of NJ's IL community.**

### OBJECTIVES

- 1.1 – Re-engage disability-related state agencies in IL activities.
- 1.2 – Increase SILC membership with the ultimate goal of all 18 seats filled.
- 1.3 – Expand the IL knowledge and skills of SILC members and CIL directors.
- 1.4 – Find both governmental and non-governmental funding for SILC activities.

Geographic Scope - Statewide

### ACTION STEPS

- 1.1 Six non-DSE IL-related state agencies send representatives to SILC meetings *twice per year*.
- 1.2a SILC re-establishes a standing Recruitment Committee *within 1<sup>st</sup> Plan year*.
- 1.2b At least 1 new SILC nominee is found *per Plan year*.
- 1.2c Termed-out slots have a nominee to fill them *within 3 months* of, if not prior to, vacancy.
- 1.2d *Monthly* contact is made with the Governor's Office for Appointments to encourage speedy appointment of nominees.
- 1.3 At least *1 time in each year* of the Plan a conference or training is held.
- 1.4a SILC finds and contracts with a grant consultant *within the first 6 months* of the Plan.
- 1.4b The grant consultant identifies at least 6 potential funding sources *within 6 months* of the contract.
- 1.4c With the help of the grant consultant, SILC submits applications for the identified grants *per the time frames noted* in each.

## INDICATORS

### Objective 1.1

By the end of the Plan, representatives from six disability-related non-DSE state agencies have attended SILC meetings, an increase of 50%.

### Objective 1.2

By the end of the Plan, NJSILC has 13 voting members, an increase of 3.

### Objective 1.3

By the end of the Plan, SILC has held 3 training sessions and the written participant assessments of each show new knowledge was gained.

### Objective 1.4

By the end of the Plan, SILC has applied for at least 6 grants (an increase of 100%! ), at least one being of two years length, and, if any were awarded, has opened a SILC ED Funds account for those monies.

## NJSILC MISSION STATEMENT

To advocate and coordinate cost-effective, consumer-driven services that provide persons with disabilities an equal opportunity to choose their life-style, to contribute to the economy and to live life in an inclusive environment.

## GOAL 2

**By year two of this Plan, hire a SILC Executive Director to improve Council's performance and expand its activities in completing its mandated duties, especially IL advocacy.**

## OBJECTIVES

2.1 Establish a job description and a fiscal plan for this position.

2.2 Find governmental and non-governmental funding to support this position per 2.1.

Geographic Scope – Statewide

## ACTION STEPS

2.1a *In the first 2 months* of this plan, SILC's SPIL Development Committee gathers information from at least 6 states about the process, time frame and data (duties, salary, hours, benefits, etc.) they used to create their SILC ED position.

2.1b The Committee prepares detailed summaries of this information and shares them with the Council *as they are completed*.

2.2a *At the time of their hiring*, task the grant consultants noted in 1.4a with finding at least one 2 year-long governmental/non-governmental money source that can be used to fund this position.

2.2b SILC completes and submits the application(s) for the grant(s) *by the respective deadline(s)*.

## INDICATORS

### Objective 2.1

A written NJSILC Executive Director job description, and its funding plan, exist.

### Objective 2.2

By the end of the Plan, SILC has applied for at least 6 grants (an increase of 100%!), at least one being of two years length, and, if any were awarded, has opened a SILC ED Funds account for those monies.

## NJSILC MISSION STATEMENT

To advocate and coordinate cost-effective, consumer-driven services that provide persons with disabilities an equal opportunity to choose their life-style, to contribute to the economy and to live life in an inclusive environment.

### GOAL 3

#### **Raise statewide awareness of Independent Living.**

#### OBJECTIVES

- 3.1 Expand types of SILC and IL informational material including digital.
- 3.2 Distribute the above material widely including digitally.
- 3.3 Focus awareness outreach to youth with disabilities, particularly high school and college populations.

Geographic Scope - Statewide

#### ACTION STEPS

- 3.1a *Each Plan year*, two more types of IL informational material are created, including products addressing transition to adult life and inclusive lifestyle (e.g., universal design, emergency preparedness, transportation, employment).
- 3.2a Using contact lists developed in 3.3b/c/d, appropriate print materials are provided to those organizations *each Plan year*.
- 3.2b Using the NJ Resources Directory, IL informational materials are distributed to disability-specific organizations *once per Plan year*.
- 3.2c *Quarterly*, appropriate IL informational materials are provided to state agencies serving various disability populations (e.g., DDHH, DVRS, DDD, DDS, etc.).
- 3.2d Informational materials, or portions of them, are posted on the SILC website and on social media as *soon as they are ready*.
- 3.2e At SILC information tables at conferences\*, materials are offered addressing at least 4 aspects of IL (philosophy, CIL services, SILC duties, disability law, etc.). *\*Approximately 4x yearly*
- 3.2f Spanish versions are made of selected but varied print materials and distributed *2 times per Plan year* to Hispanic community organizations.
- 3.2g With CBVI assistance, samples of selected materials are put into alternate formats and, *once per Plan year*, are shared with 3 community organizations serving people with visual impairments.
- 3.2h The NJSILC Emergency Preparedness Guide is made available electronically *by Plan Year 2*.

3.2i *Plan Year 1*, explore the use of an email social media platform such as ConstantContact.

3.3a SILC establishes a Youth Outreach Committee in the *first quarter of the SPIL*.

3.3b *Each Plan year*, the Committee creates/updates a contact list of high school and college special service departments, at least 4 from each county.

3.3c *Each Plan year*, the Committee creates a contact list of at least 10 community or social organizations that involve high school or college aged youth with disabilities.

3.3d *Each Plan year*, the Committee creates a contact list of at least 5 support organizations for families with children with disabilities.

## INDICATORS

### Objective 3.1

By the end of the Plan, SILC has 6 informational flyers/brochures/videos (*in addition to its basic pamphlet*), increasing its outreach resources 3 fold.

### Objective 3.2

By the end of the Plan, SILC can document outreach to 1500 consumers/stakeholders via its print materials, website, and information tables.

### Objective 3.3

By the end of the Plan, of those 1500 consumers/stakeholders, 500 (1/3) are high school or college youths with disabilities or their families.

## NJSILC MISSION STATEMENT

To advocate and coordinate cost-effective, consumer-driven services that provide persons with disabilities an equal opportunity to choose their life-style, to contribute to the economy and to live life in an inclusive environment.

### **GOAL 4**

**Promote inclusive community activities statewide.**

#### OBJECTIVES

4.1 Through the SILC's Systems Advocacy authority, reach out to community administrators regarding accessible/universal design use in varied areas of community life that may include public buildings, streets, arts and recreation, transportation services, health and wellness, and emergency management.

4.2 Through the SILC's Systems Advocacy authority, maintain a working relationship with State Emergency Management Officials to promote inclusive planning for people with disabilities in all phases of Emergency Management at all levels of government.

4.3 Through the SILC's Systems Advocacy authority, advocate for more inclusive/affordable/accessible housing and support appropriate CIL advocacy in this area.

Geographic Scope - Statewide

#### ACTION STEPS

4.1a. Using print material, personal contact, sharing of news articles/research and attending community meetings, SILC and the CILs educate directors of the above noted municipal departments about universal design and its use in inclusive community living in various public service areas. *6x per Plan year*

4.1b. Using print materials, news articles and public meetings, SILC and the CILs educate community members about use of universal design to increase accessibility of public buildings and spaces. *6x per Plan year*

4.2a Through SILC's Emergency Management (EM) Subject Matter Expert (SME) or the designee, participate in meetings and exercises held by NJ Office of Emergency Management, NJ Transit and other state agencies *at least 6x per Plan year* and advise those entities of problems in their plans and programs re: people with disabilities.

4.2b Via the SME/Council members/CILs, participate in meetings and exercises held by county EM entities *4x per Plan year* and advise those entities of problems in their plans and programs.

4.3a SILC maintains *annual membership* in three affordable/accessible housing organizations and, if feasible, attends one of their conferences each Plan year.

4.3b SILC SME participates in at least 6 meetings/conferences of these organizations *each Plan year*.

4.3c At least *3x per Plan year*, SILC provides support for legislation, community activities, informational materials and other products/activities that promote accessible and affordable housing to both policy makers and IL consumers.

## INDICATORS

### Objective 4.1

By Plan end, at least 200 municipalities and three dozen consumer organizations have been contacted about universal design and accessibility of public buildings. (They can't say they didn't know.)

### Objective 4.2

By Plan end, at least two dozen EM-related state agency meetings/conferences/exercises have included a representative from the Independent Living Community, have been educated about the Community's preparedness concerns and have received feedback on the efficacy of their programs/plans.

### Objective 4.3

By Plan end, the need for more affordable/accessible housing will have been promoted quarterly at both state and municipal levels.

## Section 1.4 Evaluation

HOW will SILC evaluate the effectiveness of the Plan including time lines and consumer satisfaction?

- 1) At the end of the Plan period, eighty-five percent of the Outcomes listed under the 4 Goals & Objectives are met
- 2) Where noted in the Indicators, stated time lines are met
- 3) Committees or Individuals assigned to goal implementation give quarterly Progress Reports at SILC meetings
- 4) Each Plan year, quarterly consumer surveys are provided on the SILC's website and Facebook page through the CILs via a paid Internet survey application.
- 5) Each year, at least one consumer/stakeholder Public Forum is held (public health conditions permitting)
- 6) Each January of the Plan, SILC will hold a Special CIL Meeting for all NJ CILs (B & C) to share their PPR service provision statistics, consumer survey info, and problem areas.

## Section 1.5 Financial Plan Narrative

Overall, *anticipated sources for this three-year plan include the usual yearly Part B (\$489,055), Part C (\$1,961,206) and I&E (\$85,140) grants and State Funds (\$890,355). The first year of the Plan also will include CARES Act funding (\$1,951,753) and carryover Part B funding (\$5752 of which \$4107 was dedicated to IL services and \$1645 was retained by DSE).*

Both B and C centers will use their respective funding towards center operations and IL services provision, including the core Independent Living services, and additional IL-related programming the nature of which depends upon the individual center. Some of the services provided by every center address SPIL goals. For the 2020-23 Plan, CILs will help implement: goal #4 related to accessible community living (housing, public buildings, recreation, public transit, health services, emergency management); goal #3 for expanding public awareness of Independent Living philosophy and services (distribute SILC-prepared & provided print materials at conferences, to public officials and to high schools/colleges); and goal #1 to help 'grow' the SILC (facilitate connections with governmental and non-governmental disability-related programs, identify SILC candidates for Council seats, participate in or assist with annual training(s)).

State match funds for the B centers also support CIL operations and IL service provision including CORE services, the latter including activities that help implement SPIL goals (as identified above).

Only C centers received COVID funds despite the fact that, in NJ, the B centers serve half of the state. As of now, no B centers plan to contract with C centers to implement COVID money. The NJ Association of CILs has submitted a request to the state legislature and the DSE to bring the matter to the forefront and to advocate for additional funds to reconcile the disparity. In the event the request is not approved, the CILs will explore other options (including but not limited to a memorandum of understanding to assist consumers in communities outside of their catchment area) for ensuring the needs of individuals residing in areas unserved by COVID funds will be acknowledged and considered for assistance by surrounding

CILs that have received COVID Funds. Since this funding became available late in the 2019-2020 State Plan, specific uses have not been identified but in various ways they will focus on Emergency Management/Preparedness issues for people with disabilities. This is a goal listed in both the 2019-2020 Plan and the 2020-2023 Plan.

The SILC is funded solely by federal Innovation & Expansion funds. It no longer receives funding from the Commission for the Blind & Visually Impaired once that agency ceased to be a Designated State Entity. SILC will use these funds to support SILC operations (Coordinator, Fiscal Agent and Webmaster contracts, for example) and SILC activities, including both ‘standard’ ones (holding conference information tables, membership in partner organizations) and implementation of goals (hiring grant finders, creating and printing new print materials, holding membership and other trainings).

Re: Commission for the Blind & Visually Impaired - No B funds are used any longer to support NJSILC or CIL services for the visually impaired. While the Commission has a liaison with SILC, and thereby with the CIL Network, it does not provide information on the amount of and specific use of its B funds (if any) nor does SILC or the Network have any control of those monies. The DSE director states that CBVI does not receive Part B funding.

Re: Use of Funding for Un-served/Under-served Populations and Locations – these groups/areas are listed under Section 2.2 Outreach. These were identified by polling all CIL Executive Directors. Examples of several goal-related activities that will help CILs in ‘penetrating’ these communities (key ones being the Black, Hispanic and Asian communities especially Korean; residents of nursing homes; transitioning students:

SILC will provide informational tri-folds in Korean and Spanish to CILs for catchment-area distribution. Along with centers, SILC will use its website and social media to share general IL concepts and IL-related activities and issues, to promote the Network of Centers, and to obtain consumer input.

SILC will provide centers with print materials on return to community living from nursing homes for distribution at their presentations to such facilities.

Along with CILs, SILC will provide IL material to faith-based and ethnic-based community programs for the groups and locales listed in 2.2. >Along with the CILs and the DSE, SILC will outreach to/provide IL materials to 1) schools with transitioning students 2) state agencies serving people with disabilities including students.

<b>Fiscal Year(s): 10/2020 – 9/2021</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		489,055			

Chapter 1, Part B – carryover		4,107			1645
Chapter 1, Part C		1,961,206			
<b>Other Federal Funds</b>					
Sec. 101(a)(18) of the Act (Innovation and Expansion)	85,140 + xx,xxx. - Carryover from FY2020				
Social Security Reimbursement					
Other					
<b>CARES Act</b>		1,951,753			
<b>Non-Federal Funds</b> (include the match amount in non-federal funds)					
State Funds		890,355			
Other					

CARES Funding:

CCILC: City of Camden - \$193,936

DAWN: Sussex, Warren - \$127,946

DIAL: Passaic, Essex - \$337,343

HIP – Bergen - \$262,634

HIP – Hudson - \$257,281

PCIL – Mercer, Hunterdon - \$258,051

RIL – Burlington - \$257,281

RIL – Salem, Cape May, Cumberland - \$257,281

<b>Fiscal Year(s): 10/2021 – 9/2022</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		489,055			
Chapter 1, Part C		1,961,206			
<b>Other Federal Funds</b>					
Sec. 101(a)(18) of the Act (Innovation and Expansion)	85,140 + xx,xxx. - Carryover from FY2020				
Social Security Reimbursement					
Other					
<b>CARES Act</b>					
<b>Non-Federal Funds</b> (include the match amount in non-federal funds)					
State Funds		890,355			
Other					

<b>Fiscal Year(s): 10/2022 – 9/2023</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		489,055			
Chapter 1, Part C		1,961,206			
<b>Other Federal Funds</b>					
Sec. 101(a)(18) of the Act (Innovation and Expansion)	85,140 + xx,xxx. - Carryover from FY2020				
Social Security Reimbursement					
Other					
<b>CARES Act</b>					
<b>Non-Federal Funds</b> (include the match amount in non-federal funds)					
State Funds		890,355			
Other					

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

### 2.1 Services

To be provided to persons with significant disabilities that promote full access to community life including geographic scope, determination of eligibility and statewideness.

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)
<b>Core Independent Living Services, as required:</b> <ul style="list-style-type: none"> <li>- Information and referral</li> <li>- IL skills training</li> <li>- Peer counseling</li> <li>- Individual and systems advocacy</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>	X		CIL
	X		CIL
▪			
▪			
▪			
▪			

<b>Counseling services, including psychological, psychotherapeutic, and related services</b>		X	DSE
<b>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.</b>	X		CIL
<b>Rehabilitation technology</b>	X	X	CIL, DSE
<b>Mobility training</b>		X	DSE
<b>Services and training for individuals with cognitive and sensory disabilities, including life skills training, and interpreter and reader services</b>	X		CIL
<b>Personal assistance services, including attendant care and the training of personnel providing such services</b>		X	CIL
<b>Surveys, directories and other activities to identify appropriate housing, recreation opportunities, and accessible transportation, and other support services</b>	X		CIL
<b>Consumer information programs on rehabilitation and independent living 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</b>	X		CIL
<b>Education and training necessary for living in the community and participating in community activities</b>	X		CIL
<b>Supported living Note: CILs are not allowed to own or operate housing.</b>			
<b>Transportation, including referral and assistance for such transportation and training in the use of public transportation vehicles and systems</b>	X		CIL

<b>Physical rehabilitation</b>		X	DSE
<b>Therapeutic treatment</b>		X	DSE
<b>Provision of needed prostheses and other appliances and devices</b>		X	DSE
<b>Individual and group social and recreational services</b>	X		CIL
<b>Training to develop skills specifically designed for youths who are individuals with disabilities to promote self-awareness and esteem, develop advocacy and self-empowerment skills, and explore career options</b>	X		CIL
<b>Services for children</b>	X		CIL
<b>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</b>	X	X	CIL, DSE
<b>Appropriate preventive services to decrease the need of individuals with disabilities for similar services in the future</b>	X		CIL
<b>Community awareness programs to enhance the understanding and integration into society of individuals with disabilities</b>	X		CIL
<b>Such other services as may be necessary and not inconsistent with the Act</b>	X	X	CIL, DSE

## 2.2 Statewide Outreach to Un-served and Underserved Populations and Locations

### A) Definition of Terms

NJSILC is using the definitions established by USDoE Rehabilitation Services Administration, the decades-long Federal Administrator of Disability Independent Living Programs prior to DHHS ACL.

Un-served – populations or locales where IL services have not ‘penetrated’; i.e., a very small portion of the population or area *may* know about IL or even seek services, but there is no significant knowledge/use of IL philosophy or programs, no receipt of Core Services.

Underserved – specific populations or localities which *can* be identified as needing more contact and/or more service provision; a ‘connection’ with the group or place already exists.

### B) HOW Populations/Locales Are Determined

Several resources are used: 2019 CIL Performance Reports and CILs’ quarterly reports to SILC (both B & C centers); Federal or State Department of Health data

### C) Targeted Populations and/or Geographic Areas (not in order of priority)

1. Asian Community (particularly Korean in some areas and Indian in some areas)
2. Black Community (statewide)
3. Hispanic (statewide)
4. Rural sections of south Jersey (especially in Cape May, Gloucester, Salem counties)
5. Rural sections of northwest Jersey (especially in Sussex and Warren)
6. Rural sections of east central Jersey (especially in Atlantic, Ocean counties)
7. All of Union County in central NJ (a populated, developed county with high IL need)
8. Disability groups: adults with Intellectual/Developmental impairments, disabled vets, Pw/D transitioning from nursing homes to community living

### D) Statewide Outreach Methods/Activities and Their ‘Conductors’

- SILC and CIL websites and social media – SILC, CILs
- DSE presentations to schools, businesses, medical service providers – Local/Central Office staff
- Print material and presentations to faith-based organizations – SILC, CILs
- Print material and presentations to ethnic-specific/disability-specific community organizations – SILC, CILs (may require translation of print material into languages other than English)
- Print material and presentations at public sites/programs, such as libraries and community centers – SILC, CILs, DSE

Evaluation Plan: SILC and all CIL PPRs will address these Outreach Activities in the narratives of Sections 18 (CILs) or 19 (SILC).

**Section 2.3 Coordination of Services/Cooperation Among Entities**

*SILC/CILs/DSE* – attend assorted meetings, keep in touch/share tasks on projects, share IL-related information, provide contracts/reports as needed.

*State Disability-Related Agencies* – per SPIL Objective 1.1, outreach to agencies such as NJ Developmental Disabilities Council, Division of Disability Services, Offices of Special Education, Division for Deaf & Hard of Hearing, Office on Aging Services, Governor’s Ombudsman for Individuals with Intellectual or Developmental Disabilities and their Families, to attend SILC meetings several times a year and to provide presentations at meetings or trainings; and for SILC to do likewise. With Governor’s Office, follow up monthly on Council candidate submissions. A SILC member participates in the Developmental Disabilities Advocacy Network and spearheads an employment-related work group.

*Other State Agencies* –maintain partnerships with Office on Emergency Management and NJ Transit via attendance at their sessions, communication with their leadership and regular invitation to SILC meetings.

*Community-Based Agencies* – per SPIL Objectives 3.2 and 3.3, develop contact (primarily via sharing print materials) with statewide and local disability-specific groups, ethnic-specific associations, high school special services departments, faith-based organizations, community services sites such as libraries and senior centers.

*Other Community-Based Agencies* - maintain partnerships via membership with housing organizations such as Housing & Community Development Council of NJ and Supported Housing Association; with these two, the Housing Subject Matter Expert (SME) continues to attend their meetings and maintain contact with their directors; maintain partnership with Association for Persons Supporting Employment via membership and attendance at the annual state conference.

**Section 3: Network of Centers**

3.1 Existing Centers

<b>Legal name</b>	<b>Counties served</b>	<b>Oversight process</b>	<b>Oversight entity</b>	<b>SPIL Signatory (yes/no)</b>
Alliance Ctr. For Independ.	Middlesex Somerset Union	CIL submits PPR to DSE (B Funding)	DSE	Yes
Atlantic Ctr. For IL	Atlantic	CIL submits PPR to DSE (B Funding)	DSE	Yes

Camden City Ind. Lvg. Ctr.	Camden City	CIL submits PPR to DSE (C Funding, CARES Funding)	OILP	Yes
Ctr. For Ind. Lvg. – So. Jersey	Camden Gloucester	CIL submits PPR to DSE (B Funding)	DSE	Yes
DAWN Ctr. For Ind. Lvg.	Morris Sussex Warren	CIL submits PPR to OILP & DSE (B Funding – Morris County/ C Funding & CARES Funding – Sussex & Warren Counties)	OILP DSE	Yes
DIAL Inc Ctr. For Ind. Lvg.	Essex Passaic	CIL submits PPR to OILP (C Funding, CARES Funding)	OILP	Yes
Heightened Ind. & Progress	Bergen	CIL submits PPR to OILP (C Funding, CARES Funding)	OILP	Yes
Heightened Ind. & Progress	Hudson	CIL submits PPR to OILP (C Funding, CARES Funding)	OILP	Yes
MOCEANS Ctr. For Ind. Lvg.	Monmouth Ocean	CIL submits PPR to DSE (B Funding)	DSE	Yes
Progressive Ctr. For Ind. Lvg.	Hunterdon Mercer	CIL submits PPR to OILP (C Funding, CARES Funding)	OILP	Yes
Resources For Ind.	Burlington Cumberland	CIL submits PPR to OILP (C Funding, CARES Funding)	OILP	Yes

Lvg.	Cape May Salem			
------	-------------------	--	--	--

**Criteria for Defining the CIL Network/SPIL Signatories**

Pursuant to 45 CFR 1329.17 (d)(2)(iii), New Jersey shall adhere to the following process to verify which Centers for Independent Living are eligible to sign the SPIL (State Plan for Independent Living):

1.) Centers designated as "Part B" Centers: those sub-grantees receiving federal Chapter 1 Title VII Part B funds through the DSE (Currently the NJ Division of Vocational Rehabilitation Services) shall be non-profit corporations in compliance with Section 725 of the federal Rehabilitation Act as Amended and pursuant to NJ Executive Order #106 (10/15/93). Compliance will be determined by acceptance/approval of the most recent Program Performance Report (PPR)/704 Report by the DSE (Designated State Entity).

2.) Centers designated as "Part C" Centers: those grantees receiving federal Chapter 1 Title VII Part C funds as a federal grantee through Independent Living Administration of Administration for Community Living, U.S. Department of Health and Human Services shall be non-profit corporations in compliance with Section 725 of the federal Rehabilitation Act as Amended and pursuant to NJ Executive Order #106 (10/15/93). Compliance will be determined by acceptance/approval of the most recent Program Performance Report (PPR)/704 Report by ACL (Administration for Community Living).

3.) Prior to the signing of the SPIL, the SILC Chair shall request formal notice from executive leadership at Part B and Part C Centers by written verification of their Center's compliance with requirements for eligibility as a signatory.

4.) A minimum of 51% of the Centers in New Jersey determined to be in compliance with the requirements defined above must sign the NJ State Plan for Independent Living for the document to be in-force. For purposes of this provision, if a legal entity that constitutes the "Center" has multiple Part C grants considered as separate Centers for all other purposes, for SPIL signature purposes, it is only considered as one Center. An eligible signatory shall routinely be defined as President/CEO; Executive Director; or other individual with the vested legal authority to transact business on behalf of the Center.

**3.2 Expansion and Adjustment of Network**

*Definition of served, un-served, and underserved*

NJSILC is using the definitions established by USDoE Rehabilitation Services Administration, the decades-long Federal Administrator of Disability Independent Living Programs prior to DHHS ACL.

Un-served – populations or locales where IL services have not ‘penetrated’; i.e., a very small portion of the population or area *may* know about IL or even seek services, but there is no significant knowledge/use of IL philosophy or programs, no receipt of Core Services.

Underserved – specific populations or localities which *can* be identified as needing more contact and/or more service provision; a ‘connection’ with the group or place already exists.

Served – populations and localities that are ‘penetrated’ by IL; they are familiar with IL philosophy, CILs and their available services, know how to contact them.

*Minimum funding level for a Center and formula/plan for distribution of funds to ensure that each Center receives at least the minimum*

The minimum funding level for a CIL – B or C – is \$380,000. This cost is not unreasonable since NJ is in the top 10 most expensive states to live which effects site rental, personnel costs, transportation and other CIL expenses.

None of the centers – either B or C - receive this level or more of federal, or state, or other funding to provide IL services.

In NJ, the B centers are essential to IL service provision, covering 9 of the 21 counties.

There is no way to distribute funding more evenly unless B sites became Cs OR State Match funds were dramatically increased.

*Priorities for establishment of new CIL(s)*

For many years, the under-served counties/sites identified for a new CIL have been Union and Ocean, in that order. (Union is a highly populated county with a large city that has several underserved ethnic populations and low-income populations. Ocean is a less populated, higher-income county but has many rural areas with reduced access to all types of service programs.)

*Action/process for distribution of funds relinquished or removed from a Center and/or if a Center closes.*

Based on past experience with a C CIL suddenly closing, the NJ SILC and CIL Network would want remaining funds (if any) for that FY to be awarded to the geographically closest C center to

continue services in the closed center's catchment area through that FY OR until a new C CIL was established via the usual RFP process, whichever came first.

*Plan to build capacity of existing CILs and/or expand statewideness by establishing branch offices and/or satellites of existing CILs.*

Branch offices or satellites already exist for B and C centers, in order for them to have a presence in each county they serve.

*Plan/formula for distribution of new funds (Part B, Part C, one-time funds, etc.)*

1) Should the minimum funding of at least \$380,000 of new, above-COLA Part C funds and/or State funds to establish a new CIL become available, Union and Ocean counties would be the priorities for a new CIL competition, per the RFP process. The CIL selection will be made with input from SILC and key selection criteria will be not only the program plans of but also the resources of the applicants.

2) Should additional above COLA, permanent, regular Part C funds be available that are less than the \$380,000 minimum level mentioned previously becomes available, the funds will be distributed proportionally to the existing C centers whose funding bases are below that level in order to bring them as close as available funding permits to that minimum funding level.

3) If State funds become available at less than the \$380,000 level recommended for a new center, the money should be divided first equally to the existing B centers whose funding bases are below that level in order to bring them as close as available funding permits and if additional funds are available, the balance distributed amongst existing C CILs to raise them to the minimum level. The option chosen will be guided by the federal and state regulations at that time.

4) Any amount of new, Part C funds, above COLA but under \$380,000 remaining after under-base-funding centers reach the \$380,000 level will be distributed equally amongst the Part C centers, including the centers just brought up to base funding.

*Plan/formula for adjusting distribution of funds when cut/reduced.*

For both C and B centers (i.e., State and Federal funds), such a challenging situation probably would result in a proportional reduction in each center's funding.

The Network already has established a proportional guide for the B centers use and would create one for the Cs.

*Plan for changes to Center service areas and/or funding levels to accommodate expansion and/or adjustment of the Network. State the needed change(s) as concretely and succinctly as possible.*

Service Area Changes: If new CILs were opened in one or both of the counties identified as priorities for such funding (Union and Ocean) by CILs not currently serving those areas, then Alliance CIL would serve only Middlesex and Somerset Counties and MOCEANS CIL would serve only Monmouth Counties.

Funding Changes: If funding levels increase or decrease in such a manner that impacts service areas negatively, the SILC will work with the Association of Centers to determine how service areas may be combined, divided up, or served in a different method to mitigate the negative impact.

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

The Division of Vocational Rehabilitation Services (DVRS will serve as the entity in the state of New Jersey 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.<sup>i</sup>

##### 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 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.

In New Jersey the DSE receives, accounts for and disburses funds received by the State. Contracts, which include budgets, for the part B centers and the SILC are created by the grantees and approved by the DSE.

The New Jersey DVRS continues to be the designated state entity, DSE for the Part B Centers for Independent Living and assigns a Planning Program Development Specialist (PPDS) as the official Liaison for the program. New Jersey DVRS collaborated with the IL B Centers to increase their ability to provide services under Title VII, Chapter 1, Part B of the Act.

The Grants of Part B funds proposals details were appropriately communicated to the Five (5) IL B Centers The following actions were implemented:

- Prompt and clear communication to IL B Centers about proposals and timeline for submission of proposals.
- DSE receives the proposals which includes Budget for review.
- DSE IL Liaison and designated DSE Professionals' reviews proposals and make recommendations.
- The Part B grants were awarded with terms of reporting, evaluation, fiscal reviews and monitoring – Mandated audit reviews, Monthly reports sent to DSE, Scheduled visits to IL B Centers to ensure compliance, and work with IL B Centers in conducting internal self-audits.
- Overall, DSE receive, account for, and disburse funds received by the State under Chapter 1 and Section 705 of Title VII of the Act (and 34 CFR parts 364 and 365, as applicable) based on the plan.
- Provide applicable administrative support services for the New Jersey SILC and under Part B of Chapter 1 and 34 CFR parts 364 and 365; and keep records and afford access to these records as necessary with respect to the New Jersey SILC and other Part B authorized activities.
- Grants are awarded each year to the IL B Centers and the CILS. The state funding awarded is contingent upon the state fiscal budget allocated each year.

#### 4.3 Oversight Process for Part B Funds

The oversight process to be followed by the DSE.

Below are DSE oversight process:

- DSE comprehensive audits - evaluation, fiscal reviews and monitoring.
- DSE mandated IL B Centers monthly reports.
- DSE IL Liaison scheduled visits to IL B Centers to ensure compliance.
- Action plans of IL B Centers DSE audits and internal self-audits
- DSE also provides feedback, technical assistance and trainings.
- Provides support for IL B Centers with respects to programmatic issues.

The DSE not only monitors these contracts but is available for technical assistance to both B and C centers. Monthly reports are provided by the B Centers throughout the year and services and financial information is monitored as it comes in. The Part B Centers allots funds to cover the

costs of private accountants to handle the auditing responsibility. The DSE assists in formalizing SILC membership, keeps records regarding the SILC and the Part B Centers, and provides technical assistance in the completion of the SPIL and the 704 report and modifications to either, if necessary. NJDVRS houses two IL centers in the local DVRS office to help ensure easy access to consumers whose centers cover multiple counties. DVRS has a central office liaison assigned to the SILC. This individual provides monthly updates at meetings on contract issues, state and federal regs and procedures, technical assistance and the other relevant DSE activities.

#### 4.4 Administration and Staffing

Administrative and staffing support provided by the DSE.

The DSE uses no more than 5% of the Part B appropriation. Oversight is provided by the DOL fiscal and internal audit departments to ensure compliance.

No DSE employees serve as staff to the SILC.

#### 4.5 State Imposed Requirements

State-imposed requirements contained in the provisions of this SPIL including:<sup>ii</sup>

- State law, regulation, rule, or policy relating to the DSE's administration or operation of IL programs
- 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

State-imposed requirements do exist in terms of the SILC's 'Composition and Funding use'.

DSE has IL Liaison that attends and report on activities.

Section 705 of the Rehab Act requires one CIL Director as a member, a representative from the DSE as a non-voting member, and representatives from other State Agencies that serve people with disabilities but does not state specific number of representatives or from which specific agencies.

Executive Order 106 (1993) which established the SILC in NJ requires not only an ex officio DSE representative (#3a) but also ex officio members from 6 specific State Agencies that provide services to people with disabilities (#3b) and also 3 CIL Directors from 3 specific sections of the State (3c).

Funding Use – There are no carryover of funding from one (1) fiscal year to a totally new fiscal year. Contract Extensions and Contract Modifications can be done with a formal request to change contract terms in order to complete goals and deliverables.

Jointly develops and signs (in conjunction with DVRS) the State Plan for Independent Living (SPIL) required in Title VII, Chapter 1, Part A, Section 704 of P.L. 105-220, and any amendments if required during the project period.

Prepares in conjunction with the Division of Vocational Rehabilitation Services (DVRS) a resource plan for the provision of resources, including staff and personnel that may be necessary to carry out the functions of the SILC under Section 705.

Monitors, reviews and evaluates the implementation of the approved SPIL.

Coordinates activities with the State Rehabilitation Council and other entities established under Title I, Part A, Section 101 (a)(3c) and Section 105 of P.L. 102-569 that address the needs of specific disability populations and are issued under other Federal law (WIOA 475).

Ensures that all regularly scheduled meetings of the council are open to the public, meetings are accessible, and that sufficient notice is provided.

Submits to the Director of Administration for Community Living, United States Department of Health and Human Services, such periodic reports as the Director may request and keeps such records and afford such access to such records as the Director finds necessary to verify such reports.

SILC concerns and observations were promptly reported to DSE Leadership and if needed, appropriate action implemented.

#### 4.6 722 vs. 723 State

Check one: *To indicate which applies to your state*

       722 (if checked, will move to Section 5)

  x   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.

In New Jersey the state money for IL services is given to five B Centers by way of state contracts. These contracts describe the five Core Independent Living Services provided by these centers, how these services will be provided and by whom and include the state assurances. The determination of eligibility for these services and the development of an IL plan for individuals who receive these services are delegated to the B centers in this way.

The IL B Centers help their clients to lead fulfilling lives, make decisions that lead to self-determination, and integrate into mainstream American society.

Each of New Jersey's IL B Centers provides the following core IL services:

- Peer Support
- Transition Services
- Information and Referral
- Individual and Systems Advocacy
- Independent Living Skills Training

### **Section 5: Statewide Independent Living Council**

#### 5.1 Establishment of SILC

NJ Statewide Independent Living Council was established by Governor's Executive Order #106 in 1993.

Administratively, it is 'placed' in the NJ Division of Vocational Rehabilitation Services (DVRS) which is part of the NJ Department of Labor & Workforce Development (LWD); however, it is not an office within either of those entities and they in turn have no authority over the Council.

LWD receives federal IL funding for the SILC and B Centers, passes it on to DVRS, which in turn distributes it to SILC and B Centers. DVRS maintains contracts with those two groups and oversees their fiscal functioning and federal/state regulation compliance for B-funded CILs.

Although DVRS does not control SILC decision-making or operations, the method for distributing funds to SILC (and B CILs) on a quarterly schedule sometimes has presented cash-flow and operational problems. The SILC cannot envision hiring a salaried staff with this kind of uncertain cash-flow procedure since employees must be paid on time. Nevertheless, this is a money-management effort on LWD's part, not an effort to control SILC by DVRS/DSE.

DVRS also contracts with C centers for projects (special grants such as Fee for Service) but does not oversee those centers' programming except for those contracted activities. NJSILC is a non-profit and as such has the capacity to develop its own funds.

DSE liaisons attend SILC meetings both to share DVRS information and to hear about SILC's concerns and activities.

The New Jersey SILC has 17 voting member seats and now works directly with the Governor's Office for Appointments in having nominees' applications processed as quickly as possible. As a federal compliance matter, SILC also follows-up with that Office on the appointment of Ex Officios, even though those nominations are made by the State programs they represent.

## 5.2 SILC Resource plan

### A) Descriptions of Resources

SILC is funded by Innovation & Expansion monies. The \$85,140 is used for SILC operations and activities per the Budget Pages included in its yearly contract with the DSE. (Attached)

For the 2020-2021FY, SILC is requesting a carryover of its unspent FY2020 monies to support its contracting with a grant consultant who will be tasked with finding funding sources for **Goal 1** (Grow the NJSILC) and Goal 2 (Hire a PT SILC Executive Director). The consultant is estimated to cost \$50ph for an estimated total cost of \$10,000 for part time hours over a 5-6 month period.

Grand Total of Expenses for Goals 1 & 2 at the end of Plan Year 1: \$10,000

If a part time ED is hired by the end of Plan Year 2, as **Goal 2** seeks, that person will work as an Independent Contractor, not as an employee; therefore, the 'only' related expenses to the position at that point will be payment (\$35phx20h weekly=\$36,400 yearly) and reimbursement of travel expenses (amount not known but can be included in the SILC operations Budget on the Travel Line). NOTE: a key job task of the ED will be to continue to expand SILC funding.

In the case of such a hire, and if funding IS developed to Grow the SILC, a part time Clerical Assistant to the ED would be useful. Again, as an IC, no benefits would be provided so the yearly cost would be about \$7,850 (\$15phx10h weekly). If travel costs requiring reimbursement occur, those expenses would be handled as above, with payment from the Budget Travel Line.

If the current Coordinator position is retained, it would continue in its current manner and would be dedicated to assisting the SILC Chair in completion of her/his duties. Thus, it would be paid from the Contract Budget Personnel Line.

Grand Total of Expenses for Goal 2 at the end of Plan Year 2: \$54,850

**Goal 3** (Raise Awareness of IL) expenses are primarily printing and mailing related.

Composing new materials and distributing the bulk of IL informational products to state agencies and community service providers will be done at no cost by SILC and by CILs.

Formatting and printing new print products/reprinting existing products will cost approximately \$3,066 for a minimum amount of each product (100 pieces). More will be needed for distribution at conferences (if that happens during this Plan cycle) so doubling that amount would be reasonable: \$6,000.

Distribution of *some* products conceivably could involve mailing but this cost can't be estimated.

Converting the SILC Emergency Preparedness Guidebook to an electronic version was estimated by the developer at \$3000 but less expensive (or free) conversions will be sought.

Info Tables at conferences usually have fees involved. These costs would be covered per the Contract Budget's Conferences/Training Line.

A basic plan for ConstantContact or MailChimp would be a max of \$612.

Grand Estimated Expense Total for Goal 3: \$10,128.

**Goal 4** activities (Promote Inclusive Community Activities) are expected to be low-cost ones because they are based on communication with government officials (local and state), service agencies, and consumers, via correspondence, print material and personal contact.

Expenses could include membership in selected community organizations, such as for accessible and supportive housing or for competitive employment; such costs are already included in the Contract Budget Membership Dues Line.

Grand Total of Expenses for Goal 4: approximately \$1350.

B) Process Used to Develop the Resource Plan

1) Review usual funding amounts and uses

2) Develop a 'Wish List' of desired new SILC activities or purchases

3) Research the costs of those desired activities/purchases: quotes from printing company, sample charges by grant consultants (Internet), typical income of non-profit Executive Director and Clerical/Secretarial worker (Internet)

4) In preparing a Budget Modification for the current FY, identify funds that are not expected to be used this FY.

5) Discuss with the DSE the Council's belief that additional uncommitted I&E funding is available through DVRS/LWD and advise a) that SILC needs to know the amount for Section 1.5 of this SPIL and 2) may want future access to some of that fund to facilitate Objective 1.4 and Goal 2

6) In conjunction with the CILs, develop the new SPIL goals and objectives so that cost activities and estimates of those expenses can be identified

### C) Process for Disbursement of Funds to Facilitate Effective Operations of SILC

1) Obtain each Plan Year's customary I&E funds (for SILC Operations) via completion of LWD/DVRS contracts and reports. (Note: this contract includes monies for Conferences/Trainings which include Membership Training, an activity required by the S&A.)

Monies would be disbursed by DSE to SILC's Fiscal Agent.

Current process is quarterly AFTER receiving an activities report for expected upcoming activities, with an advance available with the same report.

Given its preferences, SILC would like distribution of the total grant into its accounts at the start of the FY, with quarterly reports to DSE. This would allow more flexibility in spending and less dependence on the Fiscal Agent to 'front' funds for some activities (such as down-payments for training or conference venues and paying for air fare).

Payment of SILC expenses occurs by the Fiscal Agent cutting a check, after receipt of an invoice or receipt and written approval of the expenditure by the SILC Treasurer or, in her/his absence, the Chair/Vice-Chair/Secretary.

2) Obtain a carryover of at least \$10,000 of 2020FY unused funds (due to COVID problems) via Budget Modification and Carryover Request to LWD/DVRS (in order to expand resources for First Plan Year, the year that additional funds are needed to procure *private and additional* sources of future funding).

These monies would be disbursed by the DSE to the SILC Fiscal Agent.

Current process is quarterly AFTER receiving an activities report for expected upcoming activities, with an advance available with the same report.

Given its preferences, SILC would like distribution of the total grant into its accounts at the start of the FY, with quarterly reports to DSE. This would allow more flexibility in spending and less dependence on the Fiscal Agent to 'front' funds for some activities (such as down-payments for training or conference venues and paying for air fare).

Payment of SILC expenses occurs by the Fiscal Agent cutting a check, after receipt of an invoice or receipt and written approval of the expenditure by the SILC Treasurer or, in her/his absence, the Chair/Vice-Chair/Secretary.

3) Assuming the Funding Consultants and the SILC's Grant Applications are successful, use the resulting \$110,000 minimum to hire an Executive Director and ED support staff.

These funds would go directly from the awarding entity into a separate NJSILC account and would not be subject to LWD or DVRS management.

As above, expenditures from this account would be managed by the Fiscal Agent who, again, would require a receipt (e.g., a Work Log from the ED and the Assistant) and approval to pay from one of the above noted SILC officers, in the order listed.

D) Justification If More Than 30% of Part B Appropriation Is Used for the SILC Resource Plan For NJ, this is a moot point since SILC is not funded by any Part B funds.

### Section 5.3 Maintenance of SILC

. NJSILC is a 17 voting member body.

. Per NJ regulations, three members must be 1) CIL Directors who 2) represent the northern, central and southern areas of the state. (Note: for disability composition purposes, this state requirement can present compliance problems).

In New Jersey, the SILC Appointing Authority is the Governor's Appointments Office.

In NJ, non-CIL Director applicants for SILC membership can come from the community or from the Governor's Office by submission of a note/email of interest in serving and a resume.

The CIL Association selects the Director membership nominees.

The SILC Recruitment Committee does ongoing outreach to develop other applicants.

Applicants are interviewed by the Coordinator to ensure their qualifications for Council membership and to meet composition guidelines. Questions are drawn from Section 705.

The Coordinator prepares a summary of the interview and submits it to the Council for review and a vote on whether or not to nominate the applicant for a seat.

If nominated, the resumes and Membership Forms of nominees are sent simultaneously to the DSE and to the SILC contact at the GAO.

The SILC Coordinator follows up on the status of those nominations via monthly contact with the GAO. This may involve providing information about federal SILC composition and term limits regulations.

That office advises the nominees and the Council when it makes appointments.

The Coordinator also advises the GOA and the DSE when a member's term has ended or if a member has left, as soon as either situation occurs.

SILC appointees serve 3 year terms and may be re-appointed to a second 3 year term. Members appointed to complete a former member's term, may seek two full terms 'of their own' after the partial term.

Twice a year, the DSE requests a SILC Membership List with start and end dates of each member's appointment. This helps it ensure that members are gubernatorally appointed and do not remain on the Council after their terms have ended.

With those lists, SILC includes information on Council's disability composition.

Also, the DSE Ex Officio attends meetings and SILC activities and thus helps the DSE keep informed about SILC functioning.

The DSE submits its own nominee to the GAO for appointment to an Ex Officio seat.

EO appointments also are subject to the three year term length and two term maximum.

If the EO member is reassigned by the DSE, it is the DSE's responsibility to ensure that a new appointment is made by the GAO, to ensure composition compliance.

Per NJ SILC By-Laws, the Council has four officers: Chair, Vice-Chair, Secretary and Treasurer, who are elected to two year terms. The Chair and Secretary are elected in even years; the Vice-Chair and Treasurer, in odd years. Although the Chair is a voting member, per By-Laws he/she does not vote except to break a tie.

As noted previously, NJSILC has no employees. It uses Independent Contractors, via yearly contracts, to act as Coordinator and Webmaster and contracts with a CIL to act as its Fiscal Agent. When an Executive Director and Secretarial Support Person are hired, they will operate as Independent Contractors, at least for the first year.

SILC does not use DSE staff to help perform its duties (although the DSE naturally has some of its staff assigned to IL-related duties, e.g., the Ex Officio/SILC Liaison and the DSE's Contract Administrator) nor does SILC use DSE space or equipment to perform SILC activities.

NJ Statewide Independent Living Council was established by Governor's Executive Order #106 in 1993. Administratively, it is 'placed' in the NJ Division of Vocational Rehabilitation Services (DVRS) which is part of the NJ Department of Labor & Workforce Development (LWD); however, it is not an office within either of those entities and they in turn have no authority over the Council. No state employees work for the SILC as staff. As stated elsewhere, the DSE fiscal policies imposed by its parent organization may hinder timely payment of future staffing, but SILC does not perceive this as intentional hindrance of its autonomy.

Beginning with this SPIL and new leadership at the DSE, the SILC assumed a more prominent role in the Resource Plan and began to negotiate with the DSE for increased funding. For its part, the SILC does not control its own funding level and relies on the DSE to make this assurance.

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

1.1 The designated State entity (DSE) eligible to submit the State Plan for Independent Living (SPIL or the plan) and authorized under State law to perform the functions of the State under the State Independent Living Services (SILS) and Centers for Independent Living (CIL) programs.

### **New Jersey Division of Vocational Rehabilitation Services**

1.2 The separate State agency eligible to submit the plan and authorized under State law to provide vocational rehabilitation (VR) services to individuals who are blind.

**New Jersey Commission for the Blind & Visually Impaired provides VR services to individuals who are blind but it is no longer a DSE and therefore no longer is eligible to submit the Plan.**

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

### **New Jersey Statewide Independent Living Council**

1.4 The DSE and, if applicable, the separate State agency authorized to provide VR services to individuals who are blind, and the SILC are authorized to jointly develop, sign and submit this SPIL on behalf of the State, and have adopted or otherwise formally approved the SPIL. **Yes**

1.5 The DSE, and, if applicable, the separate State agency authorized to provide VR services to individuals who are blind, may legally carry out each provision of the plan and will comply with all applicable Federal statutes and regulations in effect with respect to the three-year period it receives funding under the SPIL. **Yes**

1.6 The SPIL is the basis for State operation and administration of the program. All provisions of the SPIL are consistent with State law. **Yes**

1.7 The representative of the DSE and, if applicable, of the separate State agency authorized to provide VR services to individuals who are blind, who has the authority under State law to receive, hold, and disburse Federal funds made available under the SPIL and to submit the SPIL jointly with the SILC chairperson is **Karen Carroll, Director, NJDVRs**.

## **Section 7: DSE Assurances**

Karen Carroll, DVRS Director acting on behalf of the DSE, New Jersey Division of Vocational Rehabilitation Services (DVRS) located at NJ Dept. of Labor, John Fitch Plaza, 12<sup>th</sup> floor, P. O. Box 398, Trenton, NJ 08625-0398, 609-292-5987, [Karen.Carroll@dol.nj.gov](mailto:Karen.Carroll@dol.nj.gov), *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>

Karen Carroll, State Director, DVRS

Name and Title of DSE director/authorized representative

*Karen Carroll*

6/24/20

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: State Independent Living Council Assurances & Indicators**

EFFECTIVE DATE OF SILC INDICATORS: January 31, 2018  
EFFECTIVE DATE OF SILC AND DSE ASSURANCES: October 1, 2018

### **8.1 State Independent Living Council Assurances**

- (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 (Sec. 705(b)(2), 29 U.S.C. Sec. 796 (b)(2));
- (3) The SILC terms of appointment adhere to the Act (Sec. 705(b)(6), 29 U.S.C. Sec 796(b)(6));
- (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 (Sec. 705(e)(3), 29 U.S.C. 796(e)(3)).  
SILC Indicators and SILC and DSE Assurances 1.26.2018
- (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 (29 U.S.C. Sec. 796e-2(b)(7)).

### **8.2 SILC Indicators**

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

#### **(a) In General**

Each Statewide Independent Living Council (SILC) that receives resources under this part shall carry out the activities of the SILC found in 45 CFR 1329.15(a) and comply with the indicators set out in subsection (b) of this document, and provide and comply with assurances set out in subsection (c) of this document in order to ensure that all activities under this part are planned, conducted, administered, and evaluated in a manner consistent with the purposes of this chapter and the

objective of carrying out activities to better serve individuals with disabilities and helping achieve the purposes of the Act (45 CFR 1329.15(d)).

(b) State 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(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.  
SILC Indicators and SILC and DSE Assurances 1.26.2018
  - 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:  
SILC Indicators and SILC and DSE Assurances 1.26.2018
- 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.

**X His Mark**

Norman A. Smith, Chair, NJSILC

June 23, 2020

### **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 NJ 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, 2020.

X His Mark

6/23/20

SIGNATURE OF SILC CHAIRPERSON

DATE

Norman A. Smith  
NAME OF SILC CHAIRPERSON

Alliance Center for IL \_\_\_\_\_

NAME OF CENTER FOR INDEPENDENT LIVING (CIL)

XX Carole Tonks \_\_\_\_\_ 6/26/20

SIGNATURE OF CIL DIRECTOR

DATE

Atlantic CIL \_\_\_\_\_

NAME OF CENTER FOR INDEPENDENT LIVING (CIL)



\_6/25/20\_

SIGNATURE OF CIL DIRECTOR

DATE

CCILC \_\_\_\_\_

NAME OF CENTER FOR INDEPENDENT LIVING (CIL)

XX Veda Smith \_\_\_\_\_ 6/25/20

SIGNATURE OF CIL DIRECTOR

DATE

CIL-SJ	
NAME OF CENTER FOR INDEPENDENT LIVING (CIL)	
<i>Theresa P. Kelly</i>	6-23-2020
SIGNATURE OF CIL DIRECTOR	DATE

DAWN

NAME OF CENTER FOR INDEPENDENT LIVING (CIL)

XX Carmela Slivinski

6/16/20

SIGNATURE OF CIL DIRECTOR

DATE

DIAL

NAME OF CENTER FOR INDEPENDENT LIVING (CIL)

DIAL \_\_\_\_\_  
NAME OF CENTER FOR INDEPENDENT LIVING (CIL)  
John Petz \_\_\_\_\_ 6/24/20  
SIGNATURE OF CIL DIRECTOR DATE

hip - Bergen  
NAME OF CENTER FOR INDEPENDENT LIVING (CIL)

XX Brian Fitzgibbons \_\_\_\_\_ 6/17/20  
SIGNATURE OF CIL DIRECTOR DATE

hip - Hudson  
NAME OF CENTER FOR INDEPENDENT LIVING (CIL)

XX MarilyGonzalez \_\_\_\_\_ 6/25/20  
SIGNATURE OF CIL DIRECTOR DATE

MOCEANS \_\_\_\_\_

NAME OF CENTER FOR INDEPENDENT LIVING (CIL)

*Judith Brown*

6/25/20

PCIL \_\_\_\_\_

NAME OF CENTER FOR INDEPENDENT LIVING (CIL)

XX Scott Elliott 6/18/20

SIGNATURE OF CIL DIRECTOR

DATE

RIL \_\_\_\_\_

NAME OF CENTER FOR INDEPENDENT LIVING (CIL)

\_\_\_\_\_  
SIGNATURE OF CIL DIRECTOR

DATE

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

<sup>i</sup> Sec. 704(c).

<sup>ii</sup> 45 CFR 1329.17(g).