

National Council on Independent Living
2015 Annual Council Meeting Agenda & Resolutions

Wednesday, July 29, 2015; 2:30 p.m. Eastern  Independence Ballroom; Grand Hyatt Washington

Please note the times for nominations and elections are estimated and may occur earlier or later than stated in the agenda. The member at-large nominations and elections will occur immediately after the results of the Officer elections are announced.

- 2:00 pm Call to Order & Welcome.....Lou Ann Kibbee
- 2:05 pm Announcement of the Elected Regional
Representatives for Odd-Numbered Regions.....Lou Ann Kibbee
- 2:10 pm Review of Nomination & Election Procedures.....Ann McDaniel
- 2:20 pm Nominations for President and Treasurer.....Ann McDaniel
 - A. Nominations Posted
 - B. Nominations from the Floor
- 2:30 pm Candidates' Speeches
- 2:45 pm **Balloting for Officers**
- 3:00 pm Proposed Resolution on Adult Protective Services, "Allies Not Adversaries..."
- 3:15 pm Proposed Resolution on I&E Funds, "Do No Harm..."
- 3:30 pm Reports
 - A. President.....Lou Ann Kibbee
 - B. Executive Director.....Kelly Buckland
 - C. Vice President.....Mark Derry
 - D. Treasurer.....Roger Howard
 - E. Secretary.....Ann McDaniel
 - F. Regional Representatives.....Maureen Ryan
 - G. Diversity.....Stan Holbrook
- 4:00 pm **Results of Officer Elections**.....Lou Ann Kibbee
- 4:05 pm Nominations for Member At-Large.....Ann McDaniel
 - A. Nominations Posted
 - B. Nominations from the Floor
- 4:20 pm Candidates' Speeches
- 4:40 pm **Balloting for Members-At-Large**
- 5:05 pm Acknowledgement of NCIL's Committees' & Subcommittees' Work.....Mark Derry
- 5:10 pm Old Business.....Lou Ann Kibbee
 - New Business
 - Announcements
- 5:20 pm **Results of Members-At-Large Elections**.....Lou Ann Kibbee
- 5:30 pm Adjournment

Resolution: Allies not Adversaries - Developing Collaboration between Centers for Independent Living and Adult Protective Services

Whereas, violence and abuse against individuals with disabilities occurs at a much higher rate than for individuals without disabilities;

Whereas, Adult Protective Services investigators (sometimes called caseworkers) are often the first responders to reports of abuse, neglect, and exploitation of adults with disabilities;

Whereas, the current structure of Adult Protective Services, including the type of abuse it responds to; the population it protects; the people required to report; and the type and quality of the response varies from state to state;

Whereas, this inconsistency creates confusion for service providers, it also creates an atmosphere of fear and mistrust for people with disabilities; and

Whereas, an inadequate response by Adult Protective Services can put the victim in further danger from the abuser, it can also result in the victim being re-victimized by the service system charged with protecting them;

Be it therefore resolved: that NCIL recognizes the need for a national model of Adult Protective Services that will eliminate confusion, fear and mistrust; that will embrace a trauma informed response to abuse to serve victims with disabilities with respect and compassion.

Be it further resolved: that NCIL will seek to collaborate with the Administration for Community Living to address concerns around Adult Protective Services and will encourage its membership to work collaboratively with their local/state Adult Protective Services; and

Be it finally resolved: the NCIL Subcommittee on Violence and Abuse of People with Disabilities will provide NCIL and its membership with guidance and support in this effort.

Supporters

Organizations:

- WV Statewide Independent Living Council
- Northern West Virginia Center for Independent Living, Morgantown, West Virginia
- Mountain State Centers for Independent Living, Huntington, Beckley, West Virginia
- Appalachian Center for Independent Living, Charleston, West Virginia
- IndependenceFirst, Milwaukee, Wisconsin
- Vermont Center for Independent Living, Burlington, Vermont
- REACH Resource Centers on Independent Living - Fort Worth, Dallas, Denton & Plano, Texas
- Disabled Citizens Alliance for Independence, Viburnum, Missouri
- DCAI Foundation, Viburnum, Missouri
- SKIL Resource Center, Parsons, Kansas
- Independent Living Resource Center d.b.a. Mainstream, Little Rock, AR
- Spa Area Independent Living Services (SAILS), Hot Springs, AR

NCIL Individual Members:

- Paulette Berry, Viburnum, Missouri
- Roberta Sick, Little Rock, Arkansas

NCIL Resolution Analysis

Name of Resolution: Allies not Adversaries - Developing Collaboration between Centers for Independent Living and Adult Protective Services

Submitted by: The NCIL Subcommittee on Violence and Abuse of People with Disabilities

Brief Summary: This resolution basically says NCIL will work with its membership and with ACL to collaborate to improve Adult Protective Services response and effectiveness regarding violence and abuse of people with disabilities.

Consistency with and Impact on NCIL's Mission: This resolution advances NCIL's mission regarding the rights of people with disabilities and is consumer driven advocacy.

Impact on NCIL Resources (Financial and Staff): While this will take some staff and committee time, it can be included in current collaborations with ACL regarding implementing WIOA and the integration of IL into ACL and its other programs.

Consistency with and Impact on NCIL's Guiding Principles and Values: This resolution is very consistent with the NCIL Guiding Principles and values regarding the rights of people with disabilities and the empowerment of people with disabilities. It is also necessary for the successful transition of people with disabilities into the community.

Legal Implications, Consistency with and Impact on NCIL By-Laws and SOPs: None

Resolution: Do No Harm – Implementation of WIOA Regulations and Guidance Regarding CILs & SILCs

Whereas, Sect. 101 (a)(18) of the Rehabilitation Act states that the State plan shall include an assurance that the State will reserve and use a portion of the VR/110 (I&E) funds to support the SILC resource plan; and

Whereas, the Rehabilitation Act as amended by the Workforce Innovation and Opportunity Act in 2014 did not change Sect. 101 (a)(18) of the law regarding the use of I&E funds; and

Whereas, the Rehabilitation Services Administration has proposed a change in regulations that makes using I&E funding to support the SILC an option rather than a requirement; and

Whereas, many SILCs rely on I&E funding and removing that funding could create a hardship for the SILC; and

Whereas, a hardship would be created for the CILs if Part B funding is taken from the CILs to support the SILC; and

Whereas, many DSUs are “holding SILCs” hostage with threats of removing I&E funds from the SILC resource plan if a different DSE is selected; and

Whereas, the Rehabilitation Act as amended provides that Social Security Reimbursement funds may be used to support Independent Living; and

Whereas, many states use Social Security Reimbursement funds to support the IL network; and

Whereas, many DSUs are withholding Social Security Reimbursement funds from CILs and the IL Network unless they are selected to be the DSE; and

Whereas, several states are usurping the DSE selection process the law requires in the SPIL and working with the State to designate a DSE without SILC and CIL involvement or consultation; and

Whereas, such actions are retaliatory, controlling, and counterproductive; and

Whereas, the intent of the law is to strengthen Independent Living and provide consumer control to the Independent Living Program;

Therefore be it resolved that NCIL will work with the Independent Living Administration, the Administration for Community Living, and the Rehabilitation Services Administration to ensure that no financial harm to CILs and SILCs will result from the changes in the law under WIOA; and

Therefore be it further resolved that NCIL will work with Congress to ensure that WIOA regulations and guidance from Federal agencies conforms with Congressional intent, including amending WIOA if necessary, and to ensure that retaliation is not tolerated and that the transition of Independent Living from RSA to ACL strengthens the national IL network and programs.

NCIL Resolution Analysis

Name of Resolution: Do No Harm – Implementation of WIOA Regulations and Guidance Regarding CILs & SILCs

Submitted by: West Virginia SILC
New York SILC
Wisconsin Coalition of Independent Living Centers, Inc.
Dynamic Independence, Bartlesville, Oklahoma
SKIL Resource Center, Parsons, Kansas

Brief Summary: The Rehabilitation Services Administration has proposed a change in regulation making the use of I&E funding to support SILC’s an option, rather than a requirement. This proposed change is inconsistent with the Rehabilitation Act as amended by the Workforce Innovation and Opportunity Act in 2014 did not change Sect. 101 (a)(18) of the law regarding the use of I&E funds; This proposed change would create an undue financial hardship for SILC’s.

The resolution calls for NCIL to work with the Independent Living Administration, the Administration for Community Living, and the Rehabilitation Services Administration to ensure that no financial harm to CILs and SILCs will result from the changes in the law under WIOA.

Consistency with and Impact on NCIL’s Mission: Yes. Statewide Independent Living Councils play a significant role in the advancement of independent living and the rights of people with disabilities.

Impact on NCIL Resources (Financial and Staff): There will be some staff time, but most of the work can be realized through the L&A Committees and member advocacy.

Consistency with and Impact on NCIL's Guiding Principles and Values: Yes on many fronts including value #16:

NCIL values Statewide Independent Living Councils as the organizations that are directly responsible for advocating for expanding the network of CILs and the CILs' ability to fully serve their communities.

Legal Implications, Consistency with and Impact on NCIL By-Laws and SOPs:

No legal implications or impact. This resolution is consistent with NCIL By-Laws and SOP's.