

Indiana Council on Independent Living (ICOIL)
Operating Policies and Procedures

These policies and procedures are to establish basic guidelines
under which the council conducts its business.

Table of Contents

Introduction

Absences from full ICOIL meetings.....	4
Administrative Support.....	5
Availability of ICOIL Documents.....	5
Advocacy.....	6
Code of Conduct.....	7
Committee Structure and Meetings.....	8
Compensation for Council Members.....	11
Confidentiality.....	12
Conflict of Interest.....	13
Council Communications.....	14
Council Meetings.....	15
Disability accommodations.....	17
Financial Practices of ICOIL.....	18
Grievance Procedure for Members of the Public.....	18
Membership and Recruitment.....	21
Official Location of ICOIL.....	23
Personnel Policies.....	23
Record Retention.....	24
Reimbursement for Expenses (including Travel).....	24
Relationship with Designated State Unit.....	26
Reproduction of Information for the Public.....	26
Revision of Operating Policies and Procedures.....	27
State Plan Development and Public Hearings.....	27
Travel.....	31

Use of ICOIL Titles or Positions.....32
Website.....32

NOTE:

The official ICOIL website; www.ICOIL.org contains a listing of current Centers for Independent Living and contact information, a statewide map of both current centers and the proposed centers as indicated in the State Plan for Independent Living along with catchment areas, the Funding Formula for CIL's and other pertinent information.

INTRODUCTION

The purpose of the SILC is to promote the philosophy of independent living, including a philosophy of consumer control, peer support, self-help, self-determination, equal access, and individual and systems advocacy, in order to maximize the leadership, empowerment, independence, and productivity of individuals with disabilities, and the integration and full inclusion of individuals with disabilities into the mainstream of American society.

SFIL Duties as Required by 34 CFR

- The SILC shall develop and sign (in conjunction with the DSU) the State Plan required by section 704 of the Act and 364.20
- Monitor, review and evaluate the implementation of the State Plan
- Coordinate activities with the State Rehab Advisory Council
- Ensure that all regularly scheduled meetings of the SILC are open to the public and notice given
- Submit to the Secretary all periodic reports and keep records, afford access to records and verify periodic reports

The purpose of this document is to define the ICOIL policies and procedures for operation.

Policy:

Absences from full ICOIL meetings

It is the policy of the Council that ICOIL members are expected to attend all full council meetings unless an absence is unavoidable. The ICOIL Chair determines an excused absence. If a council member has two unexcused absences in a fiscal year, he or she may be asked to resign from ICOIL.

Procedure:

As soon as the member is aware that a meeting must be missed, an email should be sent to the Council Chair with the reason for the absence. The Chair will determine whether there is reasonable cause for an excused absence and respond to the Council member by email. If time or circumstance prohibits communication by email, a phone call, followed by written documentation may suffice.

If a member has two unexcused absences from Council meetings in the year, the Chair will contact the member to discuss and, if appropriate, recommend the member's resignation. Resignation letters should be submitted simultaneously to the ICOIL Chair and the Governor's Office of Boards and Commissions.

Policy: Administrative Support

It is the policy of the Council reference 34 CFR 364.21(j)(2) that while assisting the ICOIL in carrying out its duties, staff and other personnel made available to the ICOIL by the DSU may not be assigned duties by the DSU or any other state agency or office of the state, that would create a conflict of interest. The DSU will assist in setting up meeting locations, sending out notices of those locations. The ICOIL Executive Director via contract will provide the writing and dissemination of minutes from ICOIL meetings and post approved minutes on the ICOIL website. ICOIL staff person will provide monthly financial reports about ICOIL expenditures. The DSU will continue to assist with public hearings, press releases and partner in the development of the state plan.

Procedure

Administrative assistance from the DSU shall be requested through the Chair and Committee chairs. Care needs to be taken that the IL Program Director is given enough notice and time to complete the task as well as comply with the Open Door Act, as may be required. Email requests are always preferred so that the details are explicit; however, phone calls and in person conversation will also be acceptable.

Policy: Availability of ICOIL Documents

It is the policy of ICOIL to follow the Indiana Open Door Law which requires that when documents are approved they are to be made available to the public upon request. ICOIL defines its public documents as those which have been approved by a vote of the Council. The exception to this policy will occur when the Council is seeking public input or comment on documents. In those instances, the document will be placed on the website 5 business days prior to the meeting so that individuals who need accommodations to access print material have time to do so.

Procedure:

Documents that ICOIL is working on are provided to Council members and members of the relevant committee only. After the documents have been finished and approved by a vote of the Council they will be uploaded to the website within 5 working days.

Draft or working documents for which the Council determines it needs public input or desires public comment, (e.g., the state plan) will be designated by the Chair or ICOIL staff and placed on the ICOIL website 5 business days before the event at which public comment will be taken.

The State Plan for Independent Living (SPIL) will be available for public comment 30 days prior to public hearing.

Policy: Advocacy

It is the policy of the Council to engage in educating the Governor, State legislators, Congress representatives, other policy makers, the press and general public including consumers with disabilities about issues that affect the Indiana disability community. Priorities shall be set by ICOIL and materials approved before distribution. ICOIL will not engage in lobbying, which is defined as asking policy makers to take a specific action on a specific bill or action item. SILC advocacy efforts will be consistent with Title VII Section 5 and OMB circular A-122, Attachment B, item 25.

Procedure:

The SPIL should contain direction as to what advocacy issues ICOIL will work on, although issues may arise unexpectedly at any time. There are items that come up during a legislative session that are not on the ICOIL list but because they are vital to the disability community (e.g., euthanasia, reauthorizing the ADA) the Council may choose to act. Working on a statewide issue with others in a collaborative manner is preferred.

The Public Policy Committee, working with ICOIL staff and others, is responsible for making recommendations about issues to work on, research and present options for positions, oversee the writing of

issue briefs and letters. These recommendations and activities shall be presented to the Executive Committee first, then the full ICOIL for approval.

Once the letter or issue brief has been approved it will be printed on letterhead and sent to appropriate parties, shared with CIL association and other partners as well as posted to the ICOIL website. The Director of DSU shall be copied on the letter.

Policy: Code of Conduct for Meetings

It is the policy of the Council to operate all meetings, including committee meetings in a professional and respectful manner.

Procedures:

So that ICOIL may accomplish its mission and work in a reasonable amount of time, all attendees are expected to conduct themselves with dignity and respect for themselves and other attendees. This includes being respectful of those who have the floor to speak, keeping sidebar conversations to a minimum and allowing the Council business to be conducted and finished. The Chair will have the option to warn and then remove anyone from the meeting who chooses not to conduct themselves in a professional manner.

Members of the Public are expected to abide by the following code of conduct:

The Chair shall determine if there will be public comment and the length of time allowed.

1. May only speak when recognized by the Chair.
2. The public must state their name, address, and title when recognized.
3. All questions or comments will be addressed to the Chair.
4. No signs, abusive language, personal attacks or any other form of disruptive behavior will be allowed.
5. If disruptive behavior occurs, the Chair will give one verbal warning, after which, the Chair may recess the meeting and take appropriate action to remove individual(s) from the meeting.
6. Written comments are always accepted and encouraged.

Non-Council members serving on ICOIL committees and council members who are not members of the committee are expected to observe the same codes of behavior or they will be asked to leave the committee by the chair of that committee.

Policy: Committee Structure and Meetings

It is the policy of the Council to follow ICOIL By-laws which call for standing committees and work groups* to carry out the work of the Council. The standing committees are Executive, Finance, Marketing/Outreach, Planning, and Membership. Work groups are also created by the Chair to do work that is of short term or project specific nature. It is the policy of ICOIL that each member must serve on at least one committee. All committees and work groups must comply with the Indiana Open Door Law regulations with regard to meeting notice and public information.

Procedure:

The duties of the Standing Committees are detailed in the Bylaws. The Chair of ICOIL appoints the committee chairpersons and work group chairpersons. The Chairperson of the committees and work groups pick their members from council members and interested others outside the council. Standing committees and members serve a term of one year. Work group chairs and members serve one year or until the task is completed, which could take more or less than one year.

Standing Committees

At the meeting following the annual meeting (when elections occur), the chair will appoint the chairs of standing committees. Within 30 days, the Committee chairs must have identified their members, ensuring that a reasonable number of people are appointed so that the committee's work gets accomplished. Immediately, the standing committee shall establish how often it will meet and a regular date and time. The Council chair will inform the full Council of the make up of each committee and such information will be placed on the ICOIL website.

Each year the incoming ICOIL chair reviews the committee purposes and ensures that all ICOIL members are on a committee by working through the committee chair. Changes in purpose of standing committees or adding new standing committees must be approved by the full ICOIL in advance. It is very important to have DSU/ICOIL staff attend and provide support to the committees so that the work of the committee is completed.

Committee chairs work with DSU/ICOIL staff to set up a meeting schedule, develop agendas, and oversee committee activities and review any meeting notes taken by DSU/ICOIL staff. Meeting notes may be distributed to the full Council as a written report at the next Council meeting. In general, these are not public documents. Committee chairs will present a verbal report at the full Council meeting

Generally, the Committee makes decisions by consensus so decisions are recommendations to be made to the Executive Committee and on to the full Council. These are decided by consensus and Roberts Rules of Order are suspended for committees.

Executive Committee

The Executive Committee is comprised of the Chair, the Vice Chair, Secretary and Treasurer and an elected, at-large council member. From time to time the Secretary and Treasurer position may be combined if members cannot be found to fill each position separately. This committee serves to coordinate the work of the standing committees and workgroups. It shall receive all recommendations from Standing and Ad Hoc and review for clarity, completeness and feasibility before they are presented to the full Council. It also serves to work with ICOIL staff to set the details of the full council meetings and meets monthly or more often as needed. One of the most important roles of the Executive Committee, working through the ICOIL staff, is to ensure that a smooth and complete flow of information between committees, council as a whole and the public about recommendations, decisions and issues as they arise. Timely and complete information is very important.

Closed or Executive Sessions

The Open Door Law gives a complete list of what issues may be considered in a closed executive session. (The Open Door Law labels these meetings as “executive sessions.”) . While most do not pertain to the business of ICOIL, there are several that do. Closed sessions of the Executive Committee or full Council are allowed when discussing litigation, personnel matters of ICOIL and other issues as allowed under the Indiana Open Door Law. Public notice shall be posted the same way as regular or special meetings. At the conclusion of the meeting, actions that were taken (votes) shall be noted and appended to the appropriate full Council minutes.

Work Groups

Created by the Chair of ICOIL and approved by the full Council, these are time-limited committees that have a specific task to accomplish and are disbanded. The decision to create work group should be driven by the State Plan or the need for the task as discussed by either the full Council or the Executive Committee as approved by the council. The Executive Committee should oversee the development of the statement of work for the work group. This information should be put in writing and be recommended for approval by the full Council. Examples of work groups include by-laws, membership, and the Demographic and funding formula work groups.

Work groups may include members from outside the SILC and are chaired by a SILC member. Operating informally just like the Standing Committees, Roberts Rules of order are suspended. Actions are recommendations to the Executive Committee first and then to the full Council.

The chair of the work group will determine membership, meeting frequency and work with DSU/ICOIL staff, which can support the committee. Written meeting notes shall be shared with the SILC and the work group may attend Executive Committee meetings as needed to report on progress.

A written final report with recommendations shall be presented to the Executive committee who will, after consideration, recommend the report and decisions to the Full SILC for action.

Use of Teleconference service for committee meetings

ICOIL will use teleconferencing services for committees as long as DSU/ICOIL staff members are located in a public meeting room while participating in the call. No official votes may be taken by telephone although if there is a quorum in the room, those members may vote. The public can then listen to the proceedings in the room. This mode of committee meeting will allow committee members to meet and work together without the expense and burden of traveling to the public meeting location. It will also allow non ICOIL members who are being considered for membership a chance to work with the group before becoming a member. Notice of meetings and agenda postings are still required but should not include the ICOIL teleconferencing information. Under no circumstance is the DSU/ICOIL teleconferencing number to be given to the public.

Policy: Compensation for Council Members

It is the policy of the Council that ICOIL members are appointed by the Governor as volunteers and may not receive payment for services.

Procedure:

Council members shall not receive any salary for their services as members. The Council may use budgeted resources to reimburse members of the Council for reasonable and necessary expenses of attending Council meetings and performing Council duties including travel, child care and personal assistance services, and to pay compensation to a member of the Council at a maximum rate of fifty dollars (\$50.00) per day, if such member must forfeit wages from other employment, for each day the member is engaged in performing Council duties. Please refer to the Reimbursement Policy.

Policy: Conferences

It is the policy of the Council that the ICOIL Executive Committee will determine which members will be selected, or offered the opportunity, to attend conferences relative to the business of the Council. Choices are based on benefit to ICOIL and to the State, appropriateness, commitment to the ICOIL, and relevance to the member's committee work or future position with the Council. Conference attendance for any ICOIL member is subject to available funds and out of state travel

requires approval from the Indiana Department of Administration. In general, council members must pay for their travel expenses and be reimbursed after the travel occurs.

Procedure:

A member may submit his or her name for consideration to the ICOIL Chair or ICOIL staff. The submission should include a brief explanation of why he/she should attend and an estimated budget for conference and travel expenses. The Chair or ICOIL staff will submit the request to the Executive Committee. The Executive Committee will discuss choice for conference travel and vote. The Council Chair will communicate the vote to the full membership.

When a member is designated to attend a conference, the need for travel accommodations should be communicated to ICOIL/Executive Director/DSU staff as soon as possible. They will need to know the dates of the conference, details about the conference hotel, and registration information as well as any disability accommodation needs. Travel arrangements and reimbursements will be in accordance with state rules. (See **Reimbursement Policy** and **Travel Policy**).

Full attention to the conference is expected. Upon return, the Council member must report on the conference at the next full ICOIL meeting. Whenever possible, the member should share materials collected at the conference with the full membership.

Policy: Confidentiality

It is the policy of ICOIL to keep personal contact information, including email addresses of council and committee members private. Any personal consumer information that Council members obtain through the course of their service as a council member shall be kept confidential.

Procedure:

Council members' private contact information shall not be given to the public. Email addresses should not be visible when sending to a group that includes non ICOIL members. When emailing the Council Members directly or including as a courtesy in an email going to an

outside entity, place council members' email addresses on the Blind CC line of the email. Council members who fail to comply with this policy will be warned the first time and may be asked to resign after the second instance.

ICOIL members observing center reviews are expected to abide by all confidentiality policies of the Center being reviewed and the DSU. Any consumer information received during reviews or during the course of the member's service to the Council must be kept confidential. Council members who breach this confidentiality shall be asked to resign.

Policy: Conflict of Interest

It is the policy of the Council that members shall not take actions nor participate in voting that may constitute a conflict of interest. A conflict of interest is defined as voting on an action that provides a professional, financial, personal or legal benefit to the council member or the member's immediate family and or employer ie: Center for Independent Living.

Procedure:

Any member present at a meeting who has a potential professional, financial, personal or legal conflict of interest with regard to any motion made or issue presented for discussion at a Council meeting shall announce the conflict prior to a Council discussion of the motion and voting on the motion. The council member shall abstain or recuse themselves from the vote. If a question arises concerning a conflict of interest, the Chair will inquire as to this concern and determine whether abstention from voting is required.

In the instance where the DSU constitutes a peer review committee to review applicants for funding, council members living in those geographic service areas shall not participate. In addition council members shall not vote on the establishment of new centers within the geographic area in which they reside.

It is not a conflict of interest for council members who might be affiliated with a CIL to participate in the development of the state plan,

state plan amendments, Council budgets and CIL network funding distribution recommendations.

Council members who breach this confidentiality shall be asked to resign.

"While assisting the ICOIL in carrying out its duties, staff and other personnel made available to the ICOIL by the DSU may not be assigned duties by the designated State agency or DSU, or any other agency or office of the State, that would create a conflict of interest."

Documentation of Understanding Conflict of Interest Policy

Each member, upon attending his/her first meeting shall sign a written statement affirming that he/she understands this policy and agrees to abide by it. Annually, all members will reaffirm their understanding and agreement to abide by the policy. A signed copy will be kept by ICOIL staff and a copy will be given to the member.

Policy: Council Communications (oral and written)

It is the policy of ICOIL that the Chair of the Council or his/her designee is the formal spokespersons for the organization.

Procedure

The Chair is recognized as the official spokesperson of the Council. The ICOIL staff or other designee is the alternate. Any oral or written inquiries concerning the Council received from the media, agencies, organizations or individuals are to be directed to the Chair. This includes requests for copies of ICOIL documents. Any oral or written communication initiated on behalf of the Council will be made by the Chair or his or her designee. Unless specifically directed by the Chair (or in his/her absence the Vice-Chair) to speak or write on behalf of the Council, other members of the Council will refrain from doing so. Written communication may be directed to the office of the IL Program Manager within DSU or ICOIL staff who will ensure that the communication is forwarded quickly. That address can be found on the ICOIL website or in the policy on Council location within this document.

In general, ICOIL must have discussed the issue and come to a decision about it before the Chair can speak. If delegating the communication task, those who are authorized to speak must understand ICOIL's position on the issue. If the issue is a routine item (e.g., state plan, ICOIL mission, etc) it is assumed that the Chair will speak without specific approval from the council.

Policy: Council Meetings

It is the policy of the Council to conduct its business through regular or special meetings. Notice of each must be given in compliance with Indiana's Open Door Law. The Council's meetings (other than committees) operate under Robert's Rules of Order. Proxy votes are not accepted.

Procedure:

A. Notice

Monthly ICOIL meeting notices will be published once a year, on the ICOIL website, unless there is a change, in accordance with the Indiana Code 5-14-1.5-5 (c) Public Notice of Meetings. All other meeting notices shall be posted in accordance with Indiana Code 5-14-1.5-5: Public Notice of Meetings, Section 5 (a), which states notice shall be posted outside the meeting location "at least forty-eight (48) hours (excluding Saturdays, Sundays and legal holidays) before the meeting."

Notice of regular meetings need be given only once each year, except that an additional notice shall be given where the date, time, or place of a regular meeting or meetings is changed. This does not apply to executive sessions.

B. REGULAR MEETINGS:

The Chair will establish the Council meeting dates for the year at the beginning of his/her new term. The calendar of meetings will be distributed to the members and placed on the website by DSU/ICOIL staff. While changes may occur from month to month, Council members will be able to set aside the meeting times over the coming year.

The Chair will set the time, place and the agenda for each regular meeting of the Council. The Chair will ask DSU/ICOIL staff to post the agenda as appropriate and send out the notice (including agenda and attachments) by email to all members 5 business days in advance

The following agenda may be used as the standard agenda for each meeting. The Chair may adjust the agenda to address the meeting needs.

- Call to Order
- Approval of the Agenda.
- Approval of the Minutes.
- ICOIL Financial Report.
- Committees Reports.
- Unfinished Business.
- New Business.
- Announcements.
- Public Comments.
- Adjournment.

All regular and special meetings may have a parliamentarian in attendance for the purpose of assisting the council. Videotaping the meeting by DSU/ICOIL staff is recommended. The Chair shall keep the video tapes for one year, at which time they should be destroyed.

C. Special Meetings

Special meetings of the Council are held at a different time than the regular meetings. Special meetings of the Council may be called for any purpose or purposes at any time by the Council Chair or, if the Chair is absent or unable or unwilling to act, by a majority of the members of the executive committee. All members must be notified of special meetings. Such meetings are held to consider one or two items of importance that may arise between regular meetings and must be decided before the next regular council meeting. Decisions made at that meeting must be summarized at the next regular meeting and included in the minutes. Notice of such meetings must follow Open Door Law requirements.

E. Minutes

Minutes are to be taken at all full Council meetings to record the work of the Council. In general, the staff to ICOIL will insure that the meeting is audio recorded, minutes taken and drafted. The minutes are posted as draft minutes on the website within 10 business days after the meeting. At the next full Council meeting, those minutes will be approved. After approval, the ICOIL staff will be responsible for ensuring that the final minutes are placed on the website and organized elsewhere for easy retrieval.

Minutes are legal documents so it is important to keep a complete and accurate record of Council actions.

Policy: Disability accommodations

It is the policy of ICOIL to always meet in locations that are physically accessible to all. Sign Language interpreting services will be provided as needed. Alternate Formats for print will be provided upon request. Information to this effect shall be at the bottom of every ICOIL agenda along with information as to how to request accommodations. The website will have the accommodation policy posted on the home page. Personal assistance shall be paid for as negotiated, approved in advance and is only provided for members. ICOIL will pay for approved services above and beyond existing benefits and as it relates to helping at the meeting or during actual travel.

Procedure:

Members needing reasonable accommodations to participate in ICOIL activities must let the Chair/ICOIL staff or the DSU IL Program Director know in advance, preferably when joining as a member. It is important for the member to be specific as to what he/she needs and who can provide it.

Interpreters will be provided for meetings and committee meetings as well as hearings and other ICOIL activities with 5 business days advance notice. The DSU IL Program Director/ICOIL staff will arrange for qualified interpreter services to be provided in the most cost effective manner including video remote interpreting.

Alternate formats will be coordinated by the DSU/ICOIL staff and include disk as well as large print. Braille must be requested 5 working days in advance.

All full ICOIL agendas shall contain information about the access policy and who to call to request accommodations. Currently, the DSU IL Program Director shall be the person listed, along with her phone number and e-mail address. A deadline by which to request accommodations shall be included.

Policy: Financial Practices of ICOIL

It is the policy of ICOIL to create and maintain sound fiscal policies and generally accepted accounting practices, including independent audits when appropriate.

Procedure:

A separate set of financial policies has been created and can be found on the ICOIL website as well as in the new member orientation packet. Additionally copies can be obtained from the ICOIL staff or the IL Program Director at DSU. The Executive Director, working with the Finance committee shall provide monthly budget reports of the Council expenditures so that the Finance committee can review and monitor the budget.

Policy: Grievance Procedure for Members of the Public

It is the policy of the Council to establish a process and method for a non-employee grievance procedure.

ICOIL will not discriminate against an individual because of race, creed, color, religion, sex, sexual orientation, national origin, ancestry, age, disability, person's veteran status, or any other legally protected basis.

An ICOIL organizational grievance is an allegation by a member of the public that there has been a violation, a misinterpretation, or an inequitable application of an ICOIL policy or procedure or a claim of discrimination on any prohibited basis, including, but not limited to, discrimination on the basis of disability.

Procedure:

All grievances shall delineate the specifics of the allegation, including policies and/or procedures or prohibited basis, which is alleged to be violated, misinterpreted or misapplied. Time limits for the procedures below are considered maximums. Non-adherence by the ICOIL to the time limits shall automatically move the grievance to the next step. Non-adherence to the time limits by the person making the complaint shall resolve the grievance on the decision which was last rendered. Time limits may be extended by mutual consent in writing. No reprisal of any kind shall be taken against anyone making complaint as result of his/her participation of the filing of a grievance. All formal communication must be made in writing. Email will not be accepted. Written communication should be sent to the Division of Disability & Rehabilitative Services office below. This office serves as the official location of the ICOIL for receiving written and faxed materials.

IL Program Director
Division of Disability & Rehabilitative Services
402 W. Washington Street, Rm. W453
Indianapolis IN 46207
317-232-1303 [v/tty]
317-232-6478 [fax]

Step 1:

This step shall be informal. The person making the complaint shall discuss and attempt to resolve the allegation with the ICOIL Chair within five working days of the alleged occurrence. If, as a result of this discussion, the grievance still exists, the person making the complaint may invoke the formal grievance procedure, as follows:

Step 2:

- a. The person making the complaint shall file a written statement outlining the specifics of the grievance and identifying the applicable procedures and/or policies or prohibited basis. **Emailed statements will not be accepted.**

- b. The written statement shall be delivered to the ICOIL Chair within **ten** working days of the Step 1 discussion at the DDRS office address above.

c. The ICOIL Chair shall appoint an ad hoc committee of at least three ICOIL members [not including the ICOIL Chair] and any legal counsel, if appropriate, who shall respond in writing to the person making the complaint within fifteen working days of receipt of the written statement. The ad hoc committee shall render a decision in writing within 15 days of its appointment. If the grievance is denied, the response will include the reasons for denial.

Step 3:

a. If the person making the complaint is not satisfied with the disposition of the grievance at Step 2, he/she may request a hearing before the ICOIL. The request shall be in writing to the ICOIL Chair and shall be delivered to the DDRS office address above, **within** ten working days of the decision in Step 2. The request shall contain a statement specifying the alleged violation of the policy and/or procedures or prohibited basis and shall contain any supporting documentation to be presented to the ICOIL and all written communication which relates to the grievance.

b. The ICOIL Chair shall reply to the person making the complaint in writing within **ten** working days of receipt of the request. The ICOIL Chair shall specify the time, place and conditions of the hearing. The hearing shall be scheduled within thirty working days from receipt of the aggrieved individual's request.

c. At the hearing, the ICOIL shall review all written documents relating to the grievance and provide for verbal presentations by the individual, his or her witnesses, and representatives for the ICOIL. The ICOIL shall render a decision in writing within **ten** working days of completion of the hearing.

d. Please reference the following if the complaint is considered unresolved **GRIEVANCE PROCEDURE RESOLUTION OF COMPLAINTS (SECTION 504 AND TITLE II AND TITLE IX)** found on the website:
<http://www.in.gov/fssa/2328.htm>

Policy: Membership and Recruitment

It is the policy of ICOIL to actively participate in recruiting and recommending new members to the Governor's office. Good,

appropriate membership is critical to the successful operation of the Council.

Procedure

To be considered for appointment to the Indiana Council on Independent Living interested parties must complete the Application for Gubernatorial Appointment to a Board or Commission. This application is posted on the ICOIL website www.ICOIL.org or may be obtained by calling the IL Program Director at the Bureau of Rehabilitation Services 317-232-1303.

The completed application and a basic resume detailing current and past employment along with any affiliations can be emailed to ICOIL staff via the www.ICOIL.org or be mailed to: the IL Program Director, Division of Disability & Rehabilitative Services 402 West Washington Street, Indianapolis, Indiana 46204. That person will provide all applications to the Chairperson of the ICOIL membership committee for review.

Applications will be reviewed for vacancies on the Council based on the needs of the makeup of the Council. The Council will strive for a fair representation based on geographic location, diversity including but not limited to disabilities, ethnicity and background. *see state statute excerpt below

Upon selection the applicant will be asked to attend an interview with committee members and if mutually acceptable will be required to complete Consent for Release of Information form and an authorization for a State Police Background check. All potential members must pass the background checks and be able to travel to attend monthly meetings.

Upon approval by the Membership Committee the names will be provided to the Executive Committee and to the Governor's office to conduct the formal background checks. The Governor's office will make the final determination and appointment to ICOIL. Upon formal notification the new member may begin attending the meetings as a full voting member. Orientation will be provided to new members to assist them in understanding their roles and responsibilities in relation to the business of the Council.

***STATE STATUTE EXCERPT: Indiana Council on Independent Living (ICOIL)** SOURCE: IC 12-12-8-6; (11)SE0331.1.13. --> SECTION 13.

IC 12-12-8-6, AS AMENDED BY P.L.182-2009(ss), SECTION 298, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 6. (a) There is established a statewide independent living council. The council is not a part of a state agency.

(b) The council consists of at least ~~twenty (20)~~ **eleven (11)** members appointed by the governor, including the following:

(1) At least one (1) director of a center for independent living located in Indiana chosen by the directors of the centers for independent living located in Indiana.

(2) Nonvoting members from state agencies that provide services for individuals with disabilities.

(3) Other members, who may include the following:

(A) Representatives of centers for independent living.

(B) Parents and guardians of individuals with disabilities.

(C) Advocates for individuals with disabilities.

(D) Representatives from private business.

(E) Representatives of organizations that provide services for individuals with disabilities.

(F) Other appropriate individuals.

(c) The members appointed under subsection (b) must:

(1) provide statewide representation;

(2) represent a broad range of individuals with disabilities from diverse backgrounds;

(3) be knowledgeable about centers for independent living and independent living services; and

(4) include a majority of members who:

(A) are individuals with disabilities; and

(B) are not employed by a state agency or a center for independent living.

ICOIL encourages interested parties to attend a meeting as a member of the public to gain a better understanding of the Council and its mission.

Reapplication

Members seeking a second term will be asked to reapply using a reapplication form available on the ICOIL website.

Policy: Official Location of ICOIL

It is the policy of ICOIL to not have its own office until there is a group of staff large enough to need its own space. ICOIL will use the Bureau of Rehabilitation Services (DSU) office, address, phone number and fax of the IL Program Director until such time as space for ICOIL is needed. The Council will receive its postal mail and faxes or any other documents through:

ICOIL Chair c/o
IL Program Director
Division of Disability & Rehabilitative Services MS # 20
402 W. Washington Street, Rm. W453
Indianapolis IN 46207
317-232-1303 [v/tty]
317-232-6478 [fax]

Procedure:

All written and fax correspondence addressed or intended for the Chair of ICOIL or ICOIL will be sent to the IL Program Coordinator. He/She will forward correspondence to the Chair immediately upon receipt. ICOIL letterhead, print materials and its website shall include the IL Program Director's address, phone number and fax until this policy changes.

The general public will be encouraged to communicate with the ICOIL Chair through its website and an email system the Chair and staff can receive and respond to communications directly.

Policy: Personnel Policies

It is the policy of ICOIL to create and maintain a set of personnel policies for ICOIL employees

Policy: Record Retention

It is the policy of the Council to support the retention of records as required by law or regulation.

Procedure:

All records such as fiscal, letters and emails with RSA and the DSU with ICOIL are the property of the ICOIL and will be maintained in the office and will be retained for seven years with the exception of the audit records that will be retained for ten years. ICOIL staff will ensure that two electronic copies are maintained; one should be maintained off site and the other onsite. The Council will approve the destruction of all fiscal records, upon the recommendation from the Finance committee before they are destroyed. All other records (minutes, election and others) will be destroyed in five years after a review by the Executive Committee and approval of the Council.

Policy: Reimbursement for expenses (including travel)

It is the policy of the Council that ICOIL members are entitled to reimbursement of expenses incurred while conducting state business. State business, for ICOIL members, is defined as official functions of the Council such as full ICOIL meetings, face to face committee meetings, travel to conferences at the behest of the Council, and travel to other meetings to conduct Council business. In accordance with state fiscal rules, reimbursement will be made for mileage, transportation, and meals not furnished during the activity. In some cases reimbursement may be made for attendant services, child care, and lost wages in accordance with state fiscal rules and with pre-approval by the ICOIL Chair.

Procedure:

The FSSA often secures better pricing on supplies, training, conferences, and items needed for the ICOIL. However, in some cases, a Council member may make purchases or attend an approved training with prior approval by the Council Chair, when the IL Program Director is unavailable to assist in the purchase. These expenses require receipts or an invoice for reimbursement. Reimbursement will not be made for expenses not related to ICOIL business, not approved by the Chair, or purchases made outside of state fiscal rules. Examples: a personal choice to travel by rental car; a personal choice to attend a conference or training related to ICOIL issues, but not authorized by the Council; the purchase of equipment or supplies prohibited by state purchasing rules.

The state IL Program Director will furnish the ICOIL membership with the most current state request for reimbursement form, mileage rates, and per diem rates. This information can be found at <http://www.in.gov/idoa/3076.htm>

Requests for reimbursement must be submitted within 60 days of the last day of travel. The ICOIL makes provisions to adequately reimburse members for their travel to meetings and conferences. However, the wide range of possible costs of travel for each individual makes it difficult to estimate the impact that a travel reimbursement will have on the Council budget. Although the state travel rules allow 60 days, a smaller window would be appreciated by the ICOIL so that remaining funds can be properly allocated. Failure to submit a form on time could result in non-payment. Consistent tardiness in submitting travel forms could make a member less likely to be considered for conference travel.

A written request must be made in advance by email or fax to the Chair of the SILC, with a copy going to the Chair of the Finance committee, a the Executive Director for purchases or expenses outside the scheduled ICOIL meetings. If there is time for the Executive committee to consider the request it will be brought up there for a decision. If not, then the Chair will consult with the Finance Committee Chair and ICOIL Executive Director with budget information. A written response either by email or fax will be sent back. In all cases, the Chair and Executive Director must be informed of the decision so that the Council budget can be successfully monitored.

The Council member completes the reimbursement form with receipts or invoices and returns to t Executive Director within 60 days of travel or of incurred expense. The Executive Director will review the request, notify the member of any errors or omissions, and submit the request to the state accounting office. A check will be issued to the Council member typically within 7-10 working days of receipt.

Policy: Relationship with Designated State Unit

It is the policy of the Council to have a working, professional relationship with the Designated State Agency, including its liaison to ICOIL.

Procedure:

The Designated State Agency (DSU) for ICOIL is the Indiana Division of Disability and Rehabilitation Services (DDRS)-Bureau of Rehabilitation Services. Title VII of the Rehabilitation Act, as amended in 1993 gives the four functions:

- (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 Commissioner finds to be necessary with respect to the programs;
- (4) submit such additional information or provide such assurances as the Commissioner may require with respect to the programs

The Director of the Bureau of Rehabilitation Services (the DSU), or designee, will serve as the liaison from DSU to the Council and is a non voting member of the Council. This person will be responsible for attending all of the Council meetings and reporting updates of the Council activities to the Division at least on a quarterly basis.

At the request of the Council, the Director, or designee, will also serve in an advisory or resource capacity to the Council, including technical assistance in Federal Regulations, Federal funding availability, and program statistics, etc.

Communication with the DSU

Good partnerships involve communication. In order to keep the DSU up to date with ICOIL advocacy and policy initiatives, the director of the DSU will be copied on written documents.

Policy: Reproduction of Information for the Public

It is the policy of the Council to provide reproductions of public documents, upon request to the ICOIL Chair within a reasonable time frame and recoup costs involved.

Procedure:

Cost for reproducing/printing information requested by the public will be provided at the state rate or at ICOIL's actual cost plus postage, whichever is less. Members of the public may request copies by contacting the ICOIL Chair.

A statement about the accessibility of ICOIL documents shall be placed on the website that details how a member of the public may obtain copies of documents in alternative formats. This shall include who to contact, how to contact that person and the timeframe in which it shall be provided.

Policy: Revision of Operating Policies and Procedures

It is the policy of the Council to revise its policies and procedures as needed.

PROCEDURE:

Any committee or ICOIL member may suggest changes to these Operating Policies and Procedures to the Executive Committee. That committee will review the proposed change for clarity, completeness and feasibility before they are presented to the full Council. Any necessary modifications or revisions to the policies or procedures manual must be approved by 2/3 of the voting Council Members present and voting. Revisions will be sent out to Council members 21 calendar days prior to taking action.

Policy: State Plan Development

It is the policy of the Council that ICOIL and the DSU, working with other stakeholders, shall jointly develop a three year State Plan for Independent Living as mandated by Title VII of the Rehabilitation Act, as amended 1993.

Procedure:

One of the major responsibilities of the Council is to jointly develop the three-year State Independent Living Plan (SPIL) for Indiana that

is submitted to the federal Rehabilitation Services Administration. The Council and the DSU and the Centers for Independent Living collect data, hold hearings, and develop a plan that is jointly signed by the Chair of the ICOIL and the Director of the DSU. It is important to have geographic balance and consumer participation in the development of the plan. In addition, cross disability input is equally important. The Council must include all segments of the public, including interested groups, organizations and individuals in any public hearings on the State Plan or amendments to the State Plan.

Public hearings will be convened in accordance with 34 CFR36420gh and during or after the plan is developed to collect feedback and suggestions about needs. After the plan is approved by the ICOIL and the DSU, it is submitted to the Rehabilitation Services Administration for approval. No changes may occur until they are approved by ICOIL, the DSU and RSA.

Adoption of Plan-overview of process:

The Chair of the State Plan committee will present the new state plan at an ICOIL meeting or special called meeting. The Council members will vote on the new plan prior to signature by Chair. The ICOIL Chair and the Director of DSU will sign off on the adopted State Plan. Any modifications based on feedback from RSA shall be jointly developed by ICOIL and the DSU. ICOIL shall vote on those modifications before the plan is resubmitted to RSA. Final version of the State plan will be submitted to RSA on or before June 30th of the year due. The Final State Plan approved by RSA will be distributed to council members, CILs, stakeholders, and other organizations and agencies.

Amending the State Plan

When a substantial change to the State Plan is being considered, that change must be put in writing; the draft shall be approved by the Council and then it goes through the public hearing process (Appendix 1). Then after changes, if any, are incorporated, the ICOIL must approve the final amendment language.) Then, the Director of the DSU must also approve and finally, Rehabilitation Services Administration must approve before the change can be implemented.

Monitoring and evaluating the State Plan

The State Plan must establish a method of the periodic evaluation of the effectiveness of the plan in meeting the objectives established in CFR 364.42, including evaluation of satisfaction by individuals with significant disabilities who have participated in the program.

The State Plan committee shall be responsible for meeting periodically, after the plan is adopted, to review and evaluate progress on the implementation of the plan. ICOIL staff may facilitate a written report from all the committees on their progress with implementing the goals of the SPIL. This report shall be shared with the Council after the State Plan Committee has reviewed it. Evaluation of the goals may be conducted through focus groups, evaluation forms after events, seeking comments through the website and other methods could be used. This shall be done annually.

STATE PLAN for INDEPENDENT LIVING (SPIL) HEARING PROCEDURES

Holding Public hearings

CRF 364.20 (g) (1) – The State Plan must assure that the DSU and SILC conduct public meetings to provide all segments of the public, including interested groups, organizations, and individuals, an opportunity to comment on the current State plan and any amendments. The Council may choose to hold a public hearing on a specific topic to gather consumer and public input on that topic, as well. The Council must hold its hearings in accessible locations and abide by the Open Door Law provisions. The adoption of amendments or state plan action and the monitoring of the state plan are covered in the State Plan policy in the Policies and Procedures.

1. Selection of location.
 - a. Have a council member visit sites before selecting an accessible location.
 - b. The locations of all Public Hearing are to meet or exceed the ADA law.

- c. Select geographical locations, dates and times to hold hearings, and select alternative date and time in case emergencies arise that force the canceling of original date(s)
 - d. Chair of ICOIL will select Council members to act as facilitators.
 - e. Council members will approve the locations, dates, facilities, and times for the Public Hearing.
2. Notice of Formal Hearings.
- a. Put locations, dates and times on the website.
 - b. Give to FSSA staff person to put notice in newspapers statewide and give consideration to publishing in the smaller regional newspapers in order to reach more people with disabilities in rural areas.
 - c. Give the notice to stakeholders ie: BVIS to place on statewide radio stations and reading services; Deaf Services to place in Deaf newsletters and to the Centers for Independent Living for distributing to their consumers as well and Send notices from ICOIL 30 days prior to centers for independent living and other interested parties to post.
 - d. Assure notices will be placed at the Public Hearing location, the day of the hearing.
 - e. Have a copy of the Public Hearing notice available at least one ICOIL meeting.
3. Hearings
- a. Assign interpreters for all sites.
 - b. The DSU and/ICOIL will provide any written material provided at the public meetings in accessible formats for individuals who rely on alternative formats, such as large print, Braille, and a disk.
 - c. Minutes will be taken and a digital tape recorder will be available at all times. All testimony needs to be scribed and submitted to the State Plan Committee chair thirty days (30) after the meeting. The State Plan

Committee chair will summarize the comments received at the next ICOIL meeting.

- d. Digital recordings shall be saved through the end of the development of the state plan or its amendment.
- e. Print copies of current state plan will be available on the website or upon request, by email or postal mail from ICOIL at least thirty (30) days prior to the meetings dates to all names on the ICOIL roster, copies for Protection and Advocacy, stakeholders, and other organizations and agencies.

4. Public Comments

- a. Written comments are encouraged and accepted until the published date.
- b. Public comments will be considered and may be incorporated when amending the current state plan or when drafting the final state plan.
- c. Public comments will be taken from Partners, stakeholders, constituency, and interested parties.

Policy: Travel

It is the policy of the Council that ICOIL members will abide by the State travel policies when traveling to council meetings, committee meetings and occasionally to conferences (in and out of state) in order to conduct the business of the council.

Procedures:

In-State Travel: ICOIL members are expected to make their own arrangements for travel to and from SILC meetings. Special needs for travel are to be discussed and approved by the ICOIL Chair and state IL Program Director. ICOIL is committed to full participation for all members within the ability of the Council. **Out-of-State Travel:** Any out-of-state travel is subject to approval, by the state travel office i.e.: IDOA (Indiana Department of Administration). Requests for out-of-state travel must be submitted as early as possible, but no later than 60 days prior to travel in order to clear all necessary authorizations. This means that the State IL Program Director must have the request 48 hours prior to the 60 day time frame for processing. All out-of-

state flight reservations must be made by the DSU through a state approved travel agency.

All air travel must be approved in advance by the state travel office. It must be booked within 5 days of approval from the state travel office.

Conferences registrations will be made by the ICOIL Executive Director and fees will be paid via the Executive Directors contract with FSSA once attendance is confirmed.

The ICOIL Executive Director will book Council members out of state conference hotel rooms. The hotel rates if exceeding the state maximum reimbursement must be pre-approved by the DSU liaison. The attendee must pay for their rooms and per diem at the conference and submit receipts/invoices for reimbursement upon return. All incidentals in the room such as Inter-net access, room service etc are the responsibility of the member.

If travel is made by personal vehicle, as in the case of a nearby regional conference or training, mileage, and other allowable reimbursement will be made. (See Reimbursement Policy)

Out of state air travel requests must be submitted at least 60 days in advance for out-of-state. After approval has been received from the state travel office, tickets must be purchased within five days from an approved travel agency. The State IL Program Director will work with the ICOIL member by phone or email to coordinate available flights with your personal and event schedules.

All tickets are E-tickets. The ICOIL member will receive an itinerary and flight confirmation number from the administrative assistant as soon as arrangements are finalized.

Rental cars for out of state travel must be approved in advance by the SILC Chair. After receiving the SILC Chair approval, the person requesting the rental car will submit a written request to the State IL Program Director who will submit to the state travel office for approval.

Travel Advances

Although no travel advances can be issued, in the case of demonstrated need, the Executive Director for ICOIL will make every effort to prepay as many expenses as possible. For instance: if specialized lift-equipped travel is necessary, and a cash payment is expected, the Chair and Executive Director will negotiate for prepayment.

Last minute arrangements for travel are often costly, and sometimes, not feasible. Please communicate travel plans and travel needs, along with the appropriate approvals, as promptly as possible to ICOIL Executive Director. Although the attempts to accommodate the travel needs of ICOIL members, there will be times that late notification will result in the inability to arrange for travel. Should state circumstances impact the ability to travel outside the state it will be addressed on a case by case basis.

Links to the most recent state directives and policies will be maintained on the ICOIL website or at a minimum a link to IDOA for convenience. <http://www.in.gov/idoa/3076.htm>

Policy: Use of ICOIL Titles or Positions

It is the policy of the Council that members engage in the proper use of Council related titles or positions.

Procedure: ICOIL Council members, officers or employees are expected to use their title and/or affiliation with ICOIL when conducting ICOIL business or representing ICOIL at meetings. When members are representing ICOIL, they should inform the Council at the next meeting.

Policy: Website

It is the policy of ICOIL to use its website as its main method of communicating with the public.

Procedure

The ICOIL website address is www.icoil.org. ICOIL will maintain a paid contract with a professional web master who is separate from the Council. The use of a volunteer or a member of the Council is not recommended. The Web Master will be accountable for keeping the

site accessible and up-to-date as he/she receives documents to be posted. Draft agendas and minutes are placed on the website, in compliance with the Open Door Act. However, it is the responsibility of the Council to approve all other documents as public for them to be placed on the website. The exception to this is when the Council is seeking public comment on specific documents. Then the ICOIL staff will, with approval from the Chair, direct the webmaster to upload the draft documents on the site 5 business days before the public comment session.

The Council strongly promotes the general email address at the ICOIL website as the primary manner of contacting the Council. A general email box (e.g., carol@info.com) will be set up and maintained. The ICOIL staff will be responsible on behalf of the ICOIL Chair for checking and responding to the inquiry or directing it to the appropriate person for a response in a timely manner.

Appendix 1: State Plan Public Hearing Policies and Procedures

Indiana Council on Independent Living, Inc. (ICOIL)

STATE PLAN for INDEPENDENT LIVING (SPIL) HEARING PROCEDURES

Holding Public hearings

CRF 364.20 (g) (1) – The State Plan must assure that the DSU and SILC conduct public meetings to provide all segments of the public, including interested groups, organizations, and individuals, an opportunity to comment on the current State plan and any amendments. The Council may choose to hold a public hearing on a specific topic to gather consumer and public input on that topic, as well. The Council must hold its hearings in accessible locations and abide by the Open Door Law provisions. The adoption of amendments or state plan action and the monitoring of the state plan are covered in the State Plan policy in the Policies and Procedures.

5. Selection of location.

- a. Have a council member visit sites before selecting an accessible location.

- b. The locations of all Public Hearing are to meet or exceed the ADA law.
 - c. Select geographical locations, dates and times to hold hearings, and select alternative date and time in case emergencies arise that force the canceling of original date(s)
 - d. Chair of ICOIL will select Council members to act as facilitators.
 - e. Council members will approve the locations, dates, facilities, and times for the Public Hearing.
6. Notice of Formal Hearings.
- a. Put locations, dates and times on the website.
 - b. Give to FSSA staff person to put notice in newspapers statewide and give consideration to publishing in the smaller regional newspapers in order to reach more people with disabilities in rural areas.
 - c. Give the notice to stakeholders ie:BVIS to place on statewide radio stations and reading services; Deaf Services to place in Deaf newsletters and to the Centers for Independent Living for distributing to their consumers as well and Send notices from ICOIL 30 days prior to centers for independent living and other interested parties to post.
 - d. Assure notices will be placed at the Public Hearing location, the day of the hearing.
 - e. Have a copy of the Public Hearing notice available at least one ICOIL meeting.
7. Hearings
- a. Assign interpreters for all sites.
 - b. The DSU and/ICOIL will provide any written material provided at the public meetings in accessible formats for individuals who rely on alternative formats, such as large print, Braille, and a disk.
 - c. Minutes will be taken and a digital tape recorder will be available at all times. All testimony needs to be scribed and submitted to the State Plan Committee

chair thirty days (30) after the meeting. The State Plan Committee chair will summarize the comments received at the next ICOIL meeting.

- d. Digital recordings shall be saved through the end of the development of the state plan or its amendment.
- e. Print copies of current state plan will be available on the website or upon request, by email or postal mail from ICOIL at least thirty (30) days prior to the meetings dates to all names on the ICOIL roster, copies for Protection and Advocacy, stakeholders, and other organizations and agencies.

8. Public Comments

- a. Written comments are encouraged and accepted until the published date.
- b. Public comments will be considered and may be incorporated when amending the current state plan or when drafting the final state plan.
- c. Public comments will be taken from Partners, stakeholders, constituency, and interested parties.