Rules of

# Department of Elementary and Secondary Education

## Division 90—Vocational Rehabilitation
## Chapter 8—Centers for Independent Living

## Title 5—DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
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**5 CSR 90-8.010 Centers for Independent Living**

*PURPOSE: This rule sets the standards and procedures for establishing and maintaining state-funded centers for independent living. H.B. 975 passed by the General Assembly April 20, 1988 states: "The division shall, in consultation with persons with disabilities, develop a plan to fund and maintain organizations meeting the guidelines set forth in sections 1 to 5 of the act for centers and establish and maintain new centers to assure services statewide."*

(1) Definitions. As used in this rule, except as otherwise required for the context—

(A) Centers or centers for independent living mean community-based nonresidential programs designed to promote independent living for persons with disabilities;

(B) Division means the Division of Vocational Rehabilitation of the Department of Elementary and Secondary Education;

(C) Nonprofit corporation means a corporation in which no part of the net earnings inures to the benefit of any private shareholder or individual and the income of which is exempt from taxation under 26 USCA section 501(c)(3);

(D) Person with a disability means any person who—

1. Has a physical or mental impairment which substantially limits one (1) or more of the person's major life activities; or

2. Is regarded as having or has a record of such an impairment;

(E) Independent living philosophy means control over one's life based upon the choice of acceptable options that minimize or eliminate reliance on others in making decisions and in performing everyday activities. This includes managing one's affairs, participating in day-to-day life in the community, fulfilling a range of social roles and making decisions that lead to self-determination and the minimization or elimination of physical and psychological dependence on others.

(2) Funding. Subject to appropriations, the division will provide financial assistance in the form of grants to centers. Amounts of the grants and purposes for which the grants can be used shall be determined by the division. Funding for these centers will not be awarded to more than one (1) center in any city.

(3) Requirements. A center for independent living must be a community-based, not-for-profit organization. At least fifty-one percent (51%) of the board membership must be persons with disabilities. Also, at least fifty-one percent (51%) of the staff of the center shall be persons with disabilities. Programming shall be nonresidential and promote independent living. A center shall serve at least four (4) of the following types of disabilities:

(A) Mobility;

(B) Orthopedic;

(C) Hearing-impaired or deaf;

(D) Vision-impaired or blind;

(E) Neurological;

(F) Mental retardation;

(G) Developmental;

(H) Psychiatric or mental; or

(I) Learning.

(4) Grant Funding. The grant cycle for any state funding shall be on an annual basis coincident with the state fiscal year. The grants will be submitted in a format prescribed by the division on an annual basis coordinated with the state fiscal year. The amounts of the grants will be determined by the division subject to the amount of monies appropriated by the state and the scope of approved services provided by the centers. Continuation grants must show evidence of effective results for previous grant periods, such as meeting or exceeding stated program objectives, having a positive impact on consumer achievements, having a positive impact on community living options, and having a sound management structure and effective management procedures. The grant application must reflect assurances that the grantee program will—

(A) Manifest independent living philosophy;

(B) Establish clear priorities through annual and three (3)-year program and financial planning;

(C) Establish measurable program objectives;

(D) Maintain an evaluation system and records adequate to measure performance standards. (Financial and program records will be maintained for a period of not less than three (3) years.);

(E) Practice sound fiscal management and submit to the division annual audit reports equivalent to those prescribed in OMB Circular A-110;

(F) Maintain records which identify the source and application of all center funds. (Governmental funds must be identified by source, purpose, etc.; private funds may be identified in the aggregate only.);

(G) Meet or exceed program standards for approval by the Commission on Accreditation of Rehabilitation Facilities (CARF) or a certification process accepted by the division;

(H) Use sound organizational and personnel management practices;

(I) Have qualified staff;

(J) Have a positive impact on consumer achievement of independent living goals; and

(K) Have a positive impact on community options.

(5) Equipment.

(A) For the purchase of all items of equipment of three hundred dollars ($300) or more, the center must obtain three (3) bids, document the evaluation process and select the lowest and best bid. The documentation must be kept until either an audit is completed or an agency monitoring visit occurs, whichever is last.

(B) Equipment with a unit value of three hundred dollars ($300) or more must be accompanied by proof-of-insurance or evidence of the center's financial ability to replace or repair.

(C) An inventory list must be kept for one (1) year on equipment with a unit value under three hundred dollars ($300).

(D) Equipment purchased must be inventoried on an appropriate document and submitted to the division when request for payment is made.

(E) Equipment with a unit purchase price of from three hundred dollars to one thousand dollars ($300–$1000) will be considered as non-expendable and will be monitored for a five (5)-year period. After five (5) years, the equipment will become the property of the center.

(F) Depreciation computation for replacement or reimbursement to the state agency on equipment with a purchase price of from three hundred dollars to one thousand dollars ($300–$1000) will be straight line, twenty percent (20%) per year for five (5) years.

(G) Equipment with a unit purchase price of three hundred dollars ($300) or more that is lost, stolen or broken must be reported to the division. Proper documentation, such as police or accounting reports, is to be included.

(H) The state agency shall retain vested interest of all equipment with a unit purchase price of one thousand dollars ($1000) or more. If a center ceases to use the equipment, it is required to contact the division for appropriate disposition.

(I) Equipment with a unit price of one thousand dollars ($1000) or more will be monitored during reasonable life expectancy. After such items have been depreciated according to their reasonable life expectancy, the division will retain no further vestment of title. The depreciation schedule shall be at the discretion of the division.

(J) Any change from the budget for equipment must be requested in writing and approval received from the division before proceeding with the proposed change.

(K) Equipment funds will not be transferred to another category.

(L) An inventory list with a control number assigned to each item of equipment with a unit value of three hundred dollars ($300) or more shall be communicated to the division.

(6) Center Services (mandatory). The center must make available to persons with disabilities the following independent living services:

(A) Advocacy;

(B) Independent living skills training, to include, but not be limited to, health care and financial management;

(C) Peer counseling; and

(D) Information and referral.

(7) Center Services (optional). The center may provide or make available, but not be limited to, the following:

(A) Legal services;

(B) Other counseling services, which may include non-peer, group and family counseling;

(C) Housing services;

(D) Equipment services;

(E) Transportation services;

(F) Social and recreational services;

(G) Educational services;

(H) Vocational services, including supported employment;

(I) Reader, interpreter and other communication services;

(J) Attendant and homemaker services; or

(K) Electronic services.

(8) A center shall make maximum use of existing resources available to persons with disabilities and shall not duplicate any existing services or programs in the geographic areas to the extent that these services or programs are available through other state resources.

(9) Monitoring. Monitoring activities will be performed by the division periodically during each program year. The assistant commissioner of the division or any of his/her authorized representatives shall have the right of access to any books, documents, papers or other records of the grantee which are pertinent to the center's grant in order to monitor program, business and accounting functions of the center. Monitoring activities shall include, but not be limited to, the following:

(A) The numbers and types of individuals with disabilities assisted;

(B) The extent to which individuals with varying disabling conditions were served;

(C) The types of services provided;

(D) The sources of funding;

(E) The percentage of resources committed to each type of service provided;

(F) How services provided contributed to the maintenance of or the increased independence of the individual with a disability;

(G) The extent to which individuals with disabilities participate in management and decision-making in the center;

(H) The extent to which the center collaborates with other agencies and organizations;

(I) The extent of catalytic activities to promote community awareness, involvement and assistance;

(J) The extent of outreach efforts and the impact of such efforts;

(K) A comparison, when appropriate, of prior year(s) activities with the most recent year activities;

(L) Outcomes of center activities in meeting stated program goals and objectives; and

(M) Compliance with business and accounting functions according to OMB Circular A-110.

(10) Repeated program deficiencies will be cause for termination of center funding.

(11) Continuation of funding beyond the first year will be based on performance in meeting program objectives, availability of funding and continued need of center services.

(12) A center shall operate in compliance with all applicable local laws and ordinances.

*AUTHORITY: sections 178.651–178.658, RSMo Supp. 1988.* Original rule filed Oct. 27, 1988, effective Feb. 24, 1989.*

**Original authority: 178.651-178.658, see* ***Revised Statutes of Missouri, 2000****.*