

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

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

VII

PART B - INDEPENDENT LIVING SERVICES

Part C - Centers for Independent Living

State: New Mexico

FISCAL YEARS:

Effective Date: October 1, 2024 to September 30, 2027

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

Executive Summary

Section 1: Goals, Objectives and Activities

1.1 Mission:

To collectively promote a philosophy of independent living, including a cross disability philosophy of consumer control, informed choice, 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 of all ages, and their integration and full inclusion in our communities.

1.2 Goals:

Goal 1- Enhance the lives of New Mexicans with disabilities through the coordination of Independent Living and other disability services.

Goal 2- Ensure access to quality IL services throughout New Mexico's diverse communities.

Goal 3- Enhance and expand the ability of the network of centers for independent living to deliver quality independent living services statewide.

1.3 Objectives

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

1.1 CILs will demonstrate ongoing efforts to promote IL services statewide and to provide IL services necessary to enhance the ability of New Mexicans with disabilities' right to live independently.

Indicator: The CILs will inform the SILC of participation in local outreach activities and collaborations with community partners to promote IL services and will document activities annually through the Program Performance Report to be shared with the SILC by 12/31 each year.

Indicator: The CILs will share a quarterly update at each SILC meeting to include consumer and systems advocacy successes and challenges.

Geographic scope: Statewide

1.2 The Network of Centers for Independent Living will continue efforts to expand access to IL information and services within underserved and unserved areas in New Mexico, with an emphasis on the unserved areas.

Indicator: CILs will work with the SILC to establish quarterly meetings of CIL Directors, SILC members and the DSE by 12/31/2024, to discuss protocols and procedures around expansion of services into unserved areas in the event of additional funding, emergency response coordination, etc. to better reach and support individuals with disabilities residing in identified unserved counties (Catron, Hidalgo, Curry, Quay and Roosevelt) and underserved communities within the state.

Geographic Scope: Statewide

2.1 Continue the provisions of the five core services of IL in a beneficial and meaningful way.

Indicator: CILs will provide the SILC with the full Program Performance Report by 12/31 annually.

Indicator: CILs will work with the SILC to determine common consumer satisfaction survey questions and will report those results to the SILC by 12/31 annually.

Geographic Scope: Statewide

3.1 The CILs will communicate their support of and need for base funding increases for the Network of Centers for Independent Living to all appropriate funding entities.

Indicator: CILs will engage in systems advocacy to support their work by educating legislators of the importance of IL and advocating for funding increases and partnerships to assist with the maintenance and expansion of independent living services in NM and to promote disability rights across the state. This is ongoing throughout the SPIL cycle.

Geographic Scope: Statewide

1.4 Evaluation

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

To Facilitate the SILC's duty to monitor, review, and evaluate the implementation of the State Plan, the New Mexico state IL Network agrees to the following performance measures.

Goals from Section 1	Method that will be used to evaluate
<p>Goal 1- Enhance the lives of New Mexicans with disabilities through the coordination of Independent Living and other disability services.</p> <p>Goal 2- Ensure access to quality IL services throughout New Mexico's diverse communities.</p> <p>Goal 3- Enhance and expand the ability of the network of centers for independent living to deliver quality independent living services statewide.</p>	<p>1. Review the SPIL at each SILC meeting through SILC updates, CIL updates and success stories and evaluate whether timelines are being met. If Indicators and/or objectives have not been accomplished, analyze why and determine whether adjustments need to be made. Public comment on monitoring the SPIL is available at each quarterly SILC meeting. Timeline: Quarterly</p> <p>2. Review the annual consumer satisfaction survey results. The CILs and the SILC have agreed upon at least 3 survey questions that all CILs will use and report results to the SILC at the end of each federal fiscal year. Timeline: 1st Quarter each year</p> <p>3. Review the Program Performance reports from all NM CILS listed in the SPIL at the end</p>

	<p>of each federal fiscal year. Timeline: 1st Quarter each year</p> <p>4. Review ACL and DSE Site Review reports of CILS when available. If requested SILC can offer resources to assist CILs with corrective action plans for below standard performance designations. Timeline: As needed</p> <p>5. Create an annual Progress Report on the state of IL in New Mexico, including an analysis and recommendations and distribute to IL Network, state legislature, Governor’s office and other interested parties. Timeline: 2nd Quarter each year</p>
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1.5 Financial Plan

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

Fiscal Year(s): 2025					
Sources	Projected Funding Amounts and Uses				
	SILC Resource Plan	IL Services	General CIL Operations	Other SPIL Activities	Retained by DSE for Administrative costs (applies only to Part B funding)
Title VII Funds					
Chapter 1, Part B		60,000	325,695		
Chapter 1, Part C			1,094,997		
Other Federal Funds					
Sec. 101(a)(18) of the Act (Innovation and Expansion shall not be \$0)					
Social Security Reimbursement	80,000		865,000		
Other					
Non-Federal					

Funds Part B State Match					
Other State Match for Funds in SPIL					
State Funds			632,165		
Other					

Fiscal Year(s): 2026 & 2027					
Sources	Projected Funding Amounts and Uses				
	SILC Resource Plan	IL Services	General CIL Operations	Other SPIL Activities	Retained by DSE for Administrative costs (applies only to Part B funding)
Title VII Funds					
Chapter 1, Part B	10,000		356,411		19,284
Chapter 1, Part C			1,094,997		
Other Federal Funds					
Sec. 101(a)(18) of the Act (Innovation and Expansion shall not be \$0)	30,000				
Social Security Reimbursement	70,000		875,000		
Other					
Non-Federal Funds Part B State Match					
Other State Match for Funds in SPIL					
State Funds			632,165		
Other					

Narrative Section

Description of financial plan narrative.

The SILC will utilize VIIB funds in the following amounts; FFY 26 & 27 \$10,000. The SILC will utilize SSR funds in the following amounts: FFY 25 \$80,000, FFY 26 & 27 \$70,000. The SILC will utilize I & E funds in the following amounts: FFY 26 & 27 \$30,000. Fiscal plan for

the CILs is as follows: In FFY 25, \$325,695 VIIB, \$865,000 SSR, and \$632,165 SGF. FFY 26 & 27, \$356,411 VIIB, \$875,000 SSR, and \$632,165 SGF. \$37,635 is associated with the state match for VIIB each year. This combination will be used to fund the general operations of CILs across New Mexico and provide core and additional IL services across multiple New Mexico counties. Section 3.1 describes the counties each CIL covers. The composition of funding may fluctuate dependent upon available Social Security Reimbursement funds and in response to program income requirements. Chapter One Part C funds allotted to federally funded CILs in New Mexico amounts to \$1,094,997 which is divided among three of the network CILs to support the territory noted in this SPIL. DSE administration of the IL program is covered by \$19,284 in VIIB for FFY 26 & 27. See Section 4.1 for more detail on process, selection and facilitation of funds. The New Mexico State legislature works on a 2 year state fiscal budget, due to the allocation of funding already set for SFY 24 & 25, approximately \$60,000 in Part B funds will be utilized for Commission for the Blind in SFY 25, no further Part B funds will be used for that entity after that in this SPIL cycle.

Section 2: Scope, Extent, and Arrangements of Services

2.1 Services

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

Table 2.1A: Independent living services	Provided using Part B (check to indicate yes)	Provided using other funds (check to indicate yes; do not list the other funds)	Entity that provides (specify CIL, DSE, or the other entity)
Core Independent Living Services, as follows:			
- Information and referral	x	x	CIL
- Individual and systems advocacy	x	x	CIL
- Peer counseling	x	x	CIL
- IL skills training	x	x	CIL
- Transition services including:	x	x	CIL
▪ Transition from nursing homes & other institutions	x	x	CIL
▪ Diversion from institutions	x	x	CIL
▪ Transition of youth (who were eligible for an IEP) to post-secondary life	x	x	CIL
Counseling services, including psychological, psychotherapeutic, and related services	x	x	CIL

Table 2.1A: Independent living services	Provided using Part B (check to indicate yes)	Provided using other funds (check to indicate yes; do not list the other funds)	Entity that provides (specify CIL, DSE, or the other entity)
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.	x	x	CIL
Rehabilitation technology	x	x	CIL
Mobility training	x	x	CIL
Services and training for individuals with cognitive and sensory disabilities, including life skills training, and interpreter and reader services	x	x	CIL
Personal assistance services, including attendant care and the training of personnel providing such services	x	x	CIL
Surveys, directories, and other activities to identify appropriate housing, recreation opportunities, and accessible transportation, and other support services	x	x	CIL
Consumer information programs on rehabilitation and IL services available under this Act, especially for minorities and other individuals with disabilities who have traditionally been unserved or underserved by programs under this Act	x	x	CIL
Education and training necessary for living in the community and participating in community activities	x	x	CIL
Supported living	x	x	CIL
Transportation, including referral and assistance for such transportation	x	x	CIL
Physical rehabilitation	x	x	CIL
Therapeutic treatment	x	x	CIL
Provision of needed prostheses and other appliances and devices	x	x	CIL
Individual and group social and recreational services	x	x	CIL

Table 2.1A: Independent living services	Provided using Part B (check to indicate yes)	Provided using other funds (check to indicate yes; do not list the other funds)	Entity that provides (specify CIL, DSE, or the other entity)
Training to develop skills specifically designed for youths who are individuals with significant disabilities to promote self-awareness and esteem, develop advocacy and self-empowerment skills, and explore career options	x	x	CIL
Services for children	x	x	CIL
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	x	x	CIL
Appropriate preventive services to decrease the need of individuals with significant disabilities for similar services in the future	x	x	CIL
Community awareness programs to enhance the understanding and integration into society of individuals with disabilities	x	x	CIL
Such other services as may be necessary and not inconsistent with the Act	x	x	CIL

2.2 Outreach to Unserved and Underserved Populations

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

The IL Network will prioritize outreach to marginalized and overlooked communities throughout the State Plan for Independent Living (SPIL) duration. Specifically, "unserved" areas denote those devoid of any Independent Living (IL) services, while "underserved" regions encompass locales housing disadvantaged groups such as racial and ethnic minorities, economically challenged individuals, those with limited English proficiency, and residents of underserved urban or rural areas.

For the purposes of the New Mexico IL Network, counties beyond the five unserved ones (Hidalgo, Catron, Curry, Quay, and Roosevelt) are designated as underserved due to pressing issues like inadequate housing, unemployment, underemployment, and widespread resource scarcities. Underserved counties are Colfax, Union, Harding, Sandoval, Sierra, Grant, Luna, Cibola, Socorro, Valencia, Torrance, Guadalupe, and De Baca.

Acknowledging the geographic challenges, the New Mexico IL Network notes that service consistency gravitates towards areas near NMCIL offices. Distance, rural infrastructure limitations, and severe funding deficiencies hinder service accessibility across vast swathes of the state.

New Mexico, characterized by its vast rural expanses and diverse tribal communities, grapples with low population density (ranked 45th nationally) juxtaposed with substantial landmass. Efforts to serve Native American communities initiated in the previous SPIL persist, with the SILC endorsing the Network of Centers' ongoing endeavors to enrich services for tribal members. Additionally, targeted outreach extends to rural communities, historically underserved and now a focal point for intervention.

New Mexico is home to twenty-three tribes and pueblos, dispersed throughout the state. Despite residing on or off reservations, Native Americans are persistently categorized as underserved, warranting tailored outreach initiatives.

The SILC collaborates closely with the Network of Centers to address the needs of underserved communities in New Mexico, striving to establish a resource allocation strategy and identify potential collaborative avenues. Central to this effort is the reinforcement of a statewide network of Centers for Independent Living, bolstering efficiencies and advocating for expanded funding to encompass unserved counties.

The Network of Centers remains steadfast in laying the groundwork for independent living services, particularly among underserved demographics like Native Americans. Culturally relevant information dissemination, fostering dialogues within disabled communities, and pinpointing communal needs align with the core objectives, continuing throughout the SPIL timeframe.

Recognizing the imperative of tailored outreach, the New Mexico IL Network commits to disseminating information, educating on IL services, and delivering essential support to underserved populations. Through collaborative efforts with diverse partners, outreach initiatives will be executed across both rural and urban domains, targeting all minority underserved demographics.

The New Mexico IL Network underscores the pivotal role of outreach in acquainting underserved communities with Independent Living Services, striving to enable full participation in familial, communal, and professional spheres. Through the SPIL, concerted efforts will be channeled towards bridging service gaps and empowering marginalized populations across the state.

2.3 Coordination

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

To enhance awareness and comprehension of the Center for Independent Living's (CILs) endeavors and foster stronger collaborations with state entities, the Independent Living (IL) Network will engage in proactive communication with influential leaders of organizations serving our constituents. This entails targeting disability-related agencies and existing partners to cultivate committee memberships and stakeholder engagement. Moreover, the IL Network will extend invitations to pertinent representatives to join the State Independent Living Council (SILC) and propose quarterly dialogues between departmental heads and IL Network leaders.

Consistent with these objectives, the New Mexico IL Network routinely interfaces with federal, state, and local programs, including the Older Individuals who are Blind (OIB) programs, through various forums such as meetings, conferences, and stakeholder gatherings. This proactive engagement ensures the alignment of efforts and prevents unnecessary service redundancy. Notably, the Division of Vocational Rehabilitation (DVR) collaborates effectively with the Department of Education's (PED) Special Education Department, thereby mitigating duplication of services. Vigilance is also exercised in monitoring other programs to preempt any potential duplication of DVR services.

Furthermore, the Division of Vocational Rehabilitation (DSE), SILC, and Network of Centers maintain regular communication with a spectrum of federal, state, and local programs, including those related to public health, mental health, housing, transportation, veterans' services, and Social Security Act programs. Participation in board meetings, conferences, and stakeholder gatherings facilitates robust information exchange, enabling informed decision-making and, importantly, averting service duplication. Representatives from the DSE, state agencies, and other councils actively contribute to program committees and boards, fostering collaborative discussions on service provision and program enhancements.

This multifaceted engagement strategy ensures comprehensive information gathering and bolsters the IL Network's capacity to steer clear of service duplication. Looking ahead, the SILC and the broader IL Network remain committed to extending outreach efforts and fostering coordination with other state boards, councils, and agencies, particularly those focused on addressing disabilities. By fortifying these inter-agency relationships, the IL Network endeavors to optimize service delivery and enhance outcomes for individuals with disabilities across New Mexico.

Section 3: Network of Centers

3.1 Existing Centers

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

NEW VISTAS CENTER FOR INDEPENDENT LIVING.

Geographic Area and Counties Served. This center is in Santa Fe, NM with a satellite office in Las Vegas, NM. They serve the northeastern part of New Mexico which includes the Counties of Santa Fe, Los Alamos, Rio Arriba, Taos, Colfax, Mora, Union, Harding, and San Miguel

counties.

Current Sources of Funding. Part C.

THE ABILITY CENTER

Geographic Area and Counties Served. This center is in Las Cruces, NM. They serve the southwest part of New Mexico which includes the Counties of Dona Ana, Luna, Grant, and Sierra counties.

Current Sources of Funding. Part C.

INDEPENDENT LIVING RESOURCE CENTER

Geographic Area and Counties Served. This center is in Albuquerque, NM with satellite offices in Moriarty, Socorro and Alamogordo, NM. They serve the central and southern portions of New Mexico which includes Bernalillo, Sandoval, Cibola, Valencia, Torrance, Guadalupe, De Baca, Socorro, Lincoln and Otero Counties.

Current Sources of Funding. Part C, Part B and State General Revenue Fund

SAN JUAN CENTER FOR INDEPENDENT LIVING

Geographic Area and Counties Served. This center is in Farmington, NM with a satellite office in Gallup, NM. They serve the northwest region of the state including San Juan and McKinley counties and the eastern portion of the Navajo Nation and Zuni Pueblo. They provide independent living services to ten Pueblos centrally located in New Mexico.

Current Sources of Funding. State General Revenue Fund

CHOICES Center For Independent Living

Geographic Area and Counties Served. This center is in Roswell, NM with satellite offices in Hobbs and Carlsbad, NM. They serve the southeast region in New Mexico which includes Chaves, Eddy, and Lea counties.

Current Sources of Funding. State General Fund Revenue.

Legal name	Counties served	Oversight process	Oversight entity	SPIL Signatory (yes/no)
New Vistas Center for Independent Living	See above	CIL submits CIL PPR to ACL/OILP	ACL/OILP	Yes
The Ability Center	See above	CIL submits CIL PPR to ACL/OILP	ACL/OILP	Yes
Independent Living Resource Center	See above	CIL submits CIL PPR to ACL/OILP and NMDVR as DSE	ACL/OILP, NMDVR as DSE	Yes

San Juan Center for Independence	See above	CIL submits CIL PPR to NMDVR as DSE	NMDVR as DSE	Yes
CHOICES Independent Living Center	See above	CIL submits CIL PPR to NMDVR as DSE	NMDVR as DSE	Yes

3.2 Expansion and Adjustment of Network

- Plan and priorities for use of funds, by funding source, including Part B funds, Part C funds, State funds, and other funds, whether current, increased, or one-time funding, and methodology for distribution of funds, and use of funds to build capacity of existing Centers, establish new Centers, and/or increase statewide reach of Network.
Detailed description of the plans for expanding, building, and/or adjusting the statewide network of CILs based on increased funding, new funding, one-time funding, or cuts in funding. Definition of served, unserved, and underserved.

During the period covered by the state plan for Independent Living (SPIL), appropriations will be sought from the state legislation and other sources to complete the network of Independent Living services to all areas of the state. See section 1.3 related to expansion of the network. If additional funds become available for independent living services, the SILC in conjunction with the Network of Centers, and the DSE will review the established resource allocation plan to identify priority of need. The expanding of the network of independent living services into the unserved counties of Roosevelt, Quay, Curry, Catron, and Hidalgo will be a main concern for the IL Network.

The CILS, collaboratively and/or independently, will identify needs in their service areas by assessing them through the annual PPR demographic information that Centers produce, e.g., ethnicity, disability subgroups, age groups, etc. This will define underserved populations and areas, as well as identify the services they need.

New Mexico remains a widely diverse state, with a large population of tribal communities living both on and off the pueblos/reservations. The SILC supports the network of centers continued work to enhance and expand services for tribal members in New Mexico. Additional populations designated targeted outreach include the rural communities throughout New Mexico, which have traditionally been identified as being underserved.

The unserved counties are Roosevelt, Quay, Curry (eastern part of the state) and Catron, Hidalgo (western part of the state). This means they do not have any Independent Living Core Services provided by a Center.

New Mexico is home to 19 Pueblos, 3 Apache Tribes, and the Navajo Nation throughout the state. While tribal members may live on or off the reservations/pueblos, the Native American population has traditionally identified underserved and in need of targeted outreach.

The Network of centers continues to lay the foundation for services to Native Americans by:

providing culturally relevant information about Independent Living philosophy and services, cultivating dialogue among Native American people with disabilities, supporting emerging leaders in Native American communities, identifying needs in Native American communities that can be addressed by Centers for Independent Living and encouraging Native American communities to establish their own Independent Living Centers.

The dissemination of information, dialog, and support of emerging leaders will continue in FY25, FY26, and FY27. Acquainting Native American people with the objective of Independent Living services is essential.

Minimum Funding Level for a Center and formula/plan for distribution of funds to ensure that each Center receives at least the minimum, and priorities for establishment of new CIL(s).

The goal of the New Mexico CIL network is to secure resources adequate to fund individual CILs through Part B, Part C, State IL funds or a combination thereof, as a “base” amount of \$650,000. If a national organization makes a recommendation for base funding higher than \$650,000 based on actuarial data, the New Mexico IL network would agree to that amount and use that amount in place of \$650,000 where referenced herein.

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

If, after the Part C Centers and Centers receiving Part B funds and or State IL funds in New Mexico receive the amount of funds they received the prior fiscal year and a cost-of-living increase, funds remain out of a single year’s appropriation of Part C or B funds and or State IL funds in the amount of \$250,000 or greater, and this funding is ongoing, New Mexico has the following priorities for use of that funding:

1. Establish an office serving Hidalgo and Catron counties as a branch of an existing Center.
2. Establish an office serving Roosevelt, Quay, and Curry counties as a branch of an existing Center.

If, in any fiscal year, Part C or Part B funds and or IL State funds remain after creating a new Center, or if there are insufficient funds to create a new Center, those remaining funds will be distributed to existing Part C Centers and Centers receiving Part B or IL State funds in the same proportion as the allocation of Part C and B funds or IL State funds currently received by the state.

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

Part C Funds – see above

Part B Funds – see above

IL State Funds – see above

One Time Funds – In the event of a one-time funding occurrence, the funds would be distributed among the Centers according to funder’s direction. In the event of distribution left up to the IL Network, the SILC and the network of CILs will come together to determine the most effective use of the funds.

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

If Part C, B and state revenue funding is removed from or relinquished by a Center for Independent Living in New Mexico, or if a Center for Independent Living closes, then funding from the impacted Center will be divided proportionately among remaining Centers. Should a CIL either relinquish or have its award terminated, and after collaboration with the Administration on Community Living, or the DSE, the first priority will be to guarantee continuation of services covering the service area vacated by the CIL which relinquished or had its federal or state award terminated.

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

Any cuts or reductions in funding for New Mexico Independent Living programs are evenly distributed among all providers or programs. The DSE will attempt to mitigate any budget cuts with available program income.

Plan for changes to Center service areas and/or funding levels to accommodate expansion and/or adjustment of the Network.

No funding changes needed.

Should an emergency or disaster situation happen in New Mexico, which results in additional federal or state funding distributed according to specific formulas, unless specifically prohibited, CILS may use the funds to provide services outside their service area. Furthermore, if the IL Network agrees that during this emergency time a shift in Part B or state funds is needed to cover areas in need, funding can be adjusted.

Section 4: Designated State Entity

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

4.1 DSE Responsibilities

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

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

4.2 Administration and Staffing: DSE Assurances

Administrative and staffing support provided by the DSE.

The DSE provides administrative support to the SILC as needed, including but not limited to technical preparation for quarterly meetings, processing expense forms, and support for the SILC Executive Director/Contractor. The DSE engages in no administrative support activity that interferes with the autonomy of the SILC. There are no DSE employees serving as staff for the SILC. No more than 5% of Part B appropriation will be used on administrative costs.

4.3 State- Imposed Requirements

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

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

The New Mexico State legislature works on a 2 year state fiscal budget, due to the allocation of funding already set for SFY 24 & 25, approximately \$60,000 in Part B funds will be utilized for Commission for the Blind in SFY 25, no further Part B funds will be used for that entity after that in this SPIL cycle.

4.4 Grant Process & Distribution of Funds

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

RFP processes include Public Notice to be posted within compliance with New Mexico Law. If there are multiple applicants, the SILC executive committee, Rehabilitation Service Unit (RSU), the

Division of Vocational Rehabilitation (DVR) Director, and Financial unit review all proposals and evaluate and rank them. Every effort is made to distribute the fund appropriately among multiple providers if available.

The RSU will review all recipient billing invoices and performance measures in comparison to their proposal on a monthly basis. Grant processes, policies, and procedures to be followed by the DSE in the awarding of grants of Part B funds. Department of Health and Human Services (HHS) grant recipients must comply with all terms and conditions outlined in the grant award, including grant policy terms and conditions contained in applicable HHS Grants Policy Statements, and requirements imposed by program statutes and regulations, executive orders, grant administration regulations, and EDGAR fiscal and accounting requirements, as applicable; as well as any requirements or limitations in any applicable appropriations acts. In addition to complying with applicable EDGAR recordkeeping requirements, the State assures that all recipients of financial assistance under Part B of Chapter 1 of Title VII of the Act maintain records that fully disclose and document, the amount and disposition by the recipient of that financial assistance; the total cost of the project or undertaking in connection with which the financial assistance is given or used; the amount of that portion of the cost of the project or undertaking supplied by other sources; compliance with the requirements of Chapter 1 of Title VII of the Act and this part; and other records that the DVR Director determines to be appropriate to facilitate an effective audit.

The DVR requests the contracted Part B Center to provide DVR with their Financial Policies and Procedures on an annual basis and requires that the contracted Center send the DSE updated and or amended Financial Policies and Procedures. The DSE as a requirement of the Part B contract requires the contracted Center on a monthly basis provide them with a detailed Monthly Expenditure Report.

4.5 Oversight Process for Part B Funds

The oversight process to be followed by the DSE

State general funds for Independent Living are appropriated to the DVR and contracted to the following Centers for Independent Living: Independent Living Resource Center (ILRC), The San Juan Center for Independence (SJCI), and CHOICES.

All state general funds contracted will be established by following the State of New Mexico's State Use Act. The Act by law asks the DVR to give the State Use Act Council's central non-profit agency the first right of refusal for the Scope of Work. Should the central non-profit agency not have a member that is able to conduct the Scope of Work, the DVR is then able to conduct a Request for Proposal and/or utilize the Exemption Code under NMSA 1978, Section 13-1-98AA. The Exemption Code is to be used for purchases of products or services for eligible persons with disabilities pursuant to the Federal Rehabilitation Act of 1973 as amended. The DVR will utilize the Exemption Code 13-1-98 AA after going through the State Use Act.

These contracts/provider agreements shall have a term of three years. Any changes to the terms or dollar amounts in the contracts/provider agreements will require an amendment prior to the change occurring. Should any of the state funded Centers for Independent Living undergo a Corrective Action Plan (CAP) during their three year term and not comply with the terms of the CAP, then that Center's catchment area may be distributed based on a response to a competitive Request for Proposal (RFP) process.

4.6 722 vs. 723 State

Check one:

- 722 (if checked, will move to Section 5)
 723 (if checked, will move to Section 4.7)

4.7 723 States

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

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

Section 5: Statewide Independent Living Council (SILC)

5.1 Establishment of SILC

How the SILC is established and SILC autonomy is assured.

The NMSILC is independent of all State agencies (including the DSE), CILs and other organizations. The SILC is governed by a board of directors with members appointed by the governor. In the absence of paid staff the board may designate assignment of SILC duties. SILC's office is located separate from the DSE. The New Mexico SILC board is responsible to select and supervise its staff, establish and manage its budget, bylaws, policies and procedures, and set and carryout priorities and activities. This assures the SILCs autonomy.

5.2 SILC Resource plan

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

The NMSILC resource plan includes:

- \$80,000 SSR for FFY 2025
- \$110,000 Part B Funds, I&E Funds and SGF for FFY 2026
- \$110,000 Part B Funds, I&E Funds and SGF for FFY 2027

The New Mexico Statewide Independent Living Council (NMSILC) was established as a Board to coordinate the functions related to the planning, monitoring, and evaluation of the State Plan for Independent Living (SPIL) and other authorities as described in Section 705 of the Rehabilitation Act of 1973, as amended. The NMSILC will maintain staff and space commensurate to the efforts necessary to carry out the work of the Council.

The resource plan outlined above identifies the federal and state funds provided by the DSE for the operation and management of the NMSILC in accordance with its federally designated duties and authorities.

The Resource Plan supports management and operation of the NMSILC, including but not limited to, staff, contractual services necessary to meet the designated duties and authorities of a SILC, board training and development, and travel costs and reasonable accommodations for members and staff. The NMSILC is autonomous and responsible to manage its budget.

Process used to develop the Resource Plan.

The NMSILC and the DSE had multiple meetings and conversations where they agreed upon the necessity of the NMSILC Resource Plan. The NMSILC and the CILs had a SPIL development meeting and reviewed multiple drafts of the SPIL.

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

As an independent and autonomous organization, NMSILC is responsible for management of its budget and any expenditures. In a Memorandum of Understanding with the DSE, the NMSILC agrees, as follows, to be responsible for establishing and maintaining adequate procedures and internal financial controls governing the management and utilization of funds provided hereunder which will be in the form pursuant to generally accepted state procedures.

In the annual budget process, the NMSILC develops a budget, to the maximum extent possible, based on existing net assets and anticipated assets under current agreements. Budget revisions are made, as needed, when new funding is received during the fiscal year.

The resource plan will support the Councils activities, including personnel, operating, and the following designated duties and authorities:

(1) Duties. – The Council shall

(A) develop the State plan as provided in section 704(a)(2);

(B) monitor, review, and evaluate the implementation of the State plan;

(C) meet regularly, and ensure that such meetings of the Council are open to the public and sufficient advance notice of such meetings is provided;

(D) submit to the Administrator such periodic reports as the Administrator may reasonably request, and keep such records, and afford such access to such records, as the Administrator finds necessary to verify the information in such reports; and

(E) as appropriate, coordinate activities with other entities in the State that provide services similar to or complimentary to independent living services, such as entities that facilitate the provision of or provide long-term community-based services and supports.

(2) Authorities. – The Council may, consistent with the State plan described in section 704, unless prohibited by State law –

(A) in order to improve services provided to individuals with disabilities, work with Centers for Independent Living to coordinate services with public and private entities; NMSILC leadership, in collaboration with all New Mexico CILs and other entities whose standard operating practices actively support the IL philosophy, will provide education and awareness to public officials and public employees regarding the needs, priorities and emerging issues of CILs and New Mexico residents with disabilities who need and use their services. This education and awareness can be achieved via public forums, electronic information sharing, and direct presentations at the local and state level.

(B) may conduct resource development activities to support the activities described in this subsection or to collaborate and support the provision of Independent Living services by Centers for Independent Living; NMSILC may create a specific committee, subcommittee or workgroup who will address the identification of potential new and varied revenue and funding sources for the NMSILC. These new sources may be achieved through grantsmanship, partnerships or other fund development measures.

(C) perform such other functions, consistent with the purpose of this chapter and comparable to other functions described in this subsection, as the Council determines to be appropriate.

(3) Limitation. – The Council shall not provide independent living services directly to individuals with significant disabilities or manage such services.

5.3 Maintenance of SILC

How State will maintain SILC over the course of the SPIL.¹

NMSILC Membership Eligibility. All residents of the State of New Mexico shall be eligible to apply for appointment to the NMSILC board of directors.

NMSILC Membership Applications. The application for membership shall be available on the NMSILC website, and from the NMSILC staff whenever requested. The application for membership shall be available in the necessary formats to insure full access. Individual residents of New Mexico may submit applications for appointment to the NMSILC. Applicants may also elect to apply directly through the Governor’s Office of Boards and Commissions online at <https://www.governor.state.nm.us/apply/boards-and-commissions/>.

Application Review. The Executive Committee of the NMSILC shall review all membership applications submitted to the SILC to ensure composition and qualification requirements are met and submit the list of recommended nominees to the Governor of New Mexico. The Governor’s office will review all applications, including those submitted directly to the Governor’s Office and the recommendations that come through the NMSILC. The NMSILC executive director works with the Governor’s staff to answer questions, provide information, and to facilitate the appointment process. The governor’s office makes final appointments to the NMSILC.

The Board of Directors of the NMSILC are responsible for hiring, supervision and removal of the Executive Director. The Executive Director is responsible for hiring, evaluating, and supervising other staff. The Executive Director has the responsibility of managing the day-to-day operations including carrying out the policies and goals of the NMSILC. Those responsibilities are detailed in the Executive Director's position description. The Executive Director shall attend all Executive Committee and Council meetings. The current NMSILC policy manual outlines staff performance evaluations and any administrative support needed.

SILC Operations

The SILC operates in following the approved policies that ensure that SILC has the autonomy to operate and conduct its required duties and the granted authorities:

SILC Bylaws

Conflict of Interest Policies

Fiscal Policies and Procedures

Personnel Policies

Section 6: Legal Basis and Certifications

6.1 Designated State Entity (DSE)

The state entity/agency designated to receive and distribute funding, as directed by the SPIL, under Title VII, Part B of the Act is New Mexico Division of Rehabilitation__.

Authorized representative of the DSE Casey Stone-Romero Title Director of DVR__.

6.2 Statewide Independent Living Council (SILC)

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

6.3 Centers for Independent Living (CILs)

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

The Ability Center

Choices Independent Living Center

Independent Living Resource Center

New Vistas Center for Independent Living

San Juan Center for Independence

6.4 Authorizations

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

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

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

Section 7: DSE Assurances

Casey Stone-Romero acting on behalf of the DSE New Mexico Division of Rehabilitation Services located at 2935 Rodeo Park Drive East, Santa Fe, New Mexico, 87505 505-954-8500 Casey.Stone-Romero@dvr.nm.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;¹
- 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.¹

Casey Stone-Romero, Director of DVR

Name and Title of DSE director/authorized representative

Signature

Date

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

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

8.1 Assurances

Marlencia Chee acting on behalf of the SILC New Mexico Statewide Independent Living Council located at 4483 Highway 4, Jemez Pueblo, New Mexico 87024 575-834-0012 marlencia.chee@jemezpuablo.us *45 CFR 1329.14* assures that:

- (1) The SILC regularly (not less than annually) provides the appointing authority recommendations for eligible appointments;
- (2) The SILC is composed of the requisite members set forth in the Act;¹
- (3) The SILC terms of appointment adhere to the Act;¹
- (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.¹
- (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.¹

Section 8.2 Indicators of Minimum Compliance

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

(a) STATEWIDE INDEPENDENT LIVING COUNCIL INDICATORS. –

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

- h. A process to verify centers for independent living are eligible to sign the State Plan in compliance with 45 CFR 1329.17(d)(2)(iii).
- (2) The SILC maintains regular communication with the appointing authority to ensure efficiency and timeliness of the appointment process.
- (3) The SILC maintains individual training plans for members that adhere to the SILC Training and Technical Assistance Center's SILC training curriculum.
- (4) The SILC receives public input into the development of the State Plan for Independent Living in accordance with 45 CFR 1329.17(f) ensuring:
 - a. Adequate documentation of the State Plan development process, including but not limited to, a written process setting forth how input will be gathered from the state's centers for independent living and individuals with disabilities throughout the state, and the process for how the information collected is considered.
 - b. All meetings regarding State Plan development and review are open to the public and provides advance notice of such meetings in accordance with existing State and federal laws and 45 CFR 1329.17(f)(2)(i)-(ii);
 - c. Meetings seeking public input regarding the State Plan provides advance notice of such meetings in accordance with existing State and federal laws, and 45 CFR 1329.17(f)(2)(i);
 - d. Public meeting locations, where public input is being taken, are accessible to all people with disabilities, including, but not limited to:
 - i. proximity to public transportation,
 - ii. physical accessibility, and
 - iii. effective communication and accommodations that include auxiliary aids and services, necessary to make the meeting accessible to all people with disabilities.
 - e. Materials available electronically must be 508 compliant and, upon request, available in alternative and accessible format including other commonly spoken languages.
- (5) The SILC monitors, reviews and evaluates the State Plan in accordance with 45 CFR 1329.15(a)(2) ensuring:
 - a. Timely identification of revisions needed due to any material change in State law, state organization, policy or agency operations that affect the administration of the State Plan approved by the Administration for Community Living.
- (6) The SILC State Plan resource plan includes:
 - a. Sufficient funds received from:
 - i. Title VII, Part B funds;
 - 1. If the resource plan includes Title VII, Part B funds, the State Plan provides justification of the percentage of Part B funds to be used if the percentage exceeds 30 percent of Title VII, Part B funds received by the State;

- ii. Funds for innovation and expansion activities under Sec. 101(a)(18) of the Act, 29 U.S.C. Sec. 721(a)(18), as applicable;
 - iii. Other public and private sources.
- b. The funds needed to support:
 - i. Staff/personnel;
 - ii. Operating expenses;
 - iii. Council compensation and expenses;
 - iv. Meeting expenses including meeting space, alternate formats, interpreters, and other accommodations;
 - v. Resources to attend and/or secure training and conferences for staff and council members and;
 - vi. Other costs as appropriate.

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

Marlencia Chee, Chair

 Name of SILC chairperson

 Signature Date

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

Section 9: Signatures

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

The effective date of this SPIL is October 1, 2024

 SIGNATURE OF SILC CHAIRPERSON DATE

 NAME OF SILC CHAIRPERSON

 NAME OF CENTER FOR INDEPENDENT LIVING (CIL)

SIGNATURE OF CIL DIRECTOR

DATE

NAME OF CIL DIRECTOR

NAME OF CENTER FOR INDEPENDENT LIVING (CIL)

SIGNATURE OF CIL DIRECTOR

DATE

NAME OF CIL DIRECTOR

NAME OF CENTER FOR INDEPENDENT LIVING (CIL)

SIGNATURE OF CIL DIRECTOR

DATE

NAME OF CIL DIRECTOR

NAME OF CENTER FOR INDEPENDENT LIVING (CIL)

SIGNATURE OF CIL DIRECTOR

DATE

NAME OF CIL DIRECTOR
(INSERT ADDITIONAL CILS AS NEEDED)

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

¹ 1329.17(d)(2)(iii)