



Executive Committee Meeting Agenda
Wednesday, March 4, 2020 4:00-6:00pm
Call-In Number 800.920.7487 Passcode 59396188#

- I. Call to Order

- II. Chair's Report (John)
 - a. Welcome Karen
 - b. Open House/Receptions for Karen

- III. President's Report (Karen and Daisy)
 - a. Transition Plan
 - b. Census Progress
 - c. Leading for Impact
 - d. Division of Rehabilitation Services Compliance Review (attachment 1)

- IV. Program Committee (Doug)
 - a. Shelter Lawsuit – City of Chicago (attachment 2)
 - b. Candidates Forum
 - c. Legislative Advocacy
 - d. Update on Colbert/Williams Changes

- V. Resource Development & Communications Committee (Kristin)
 - a. Communications
 - 40th Anniversary
 - Gala
 - b. 2020 Marca Bristo Lead On! Gala
 - c. Major Gifts Campaign
Legacy Campaign
 - d. Brainstorm Session/Discussion:
How to create a deeper Culture of Philanthropy.
 - What does Culture of Philanthropy mean to you?
 - How have you seen this accomplished in other organizations?
 - How have you seen this on other Boards?

- VI. Nominating & Board Development Committee (Ben)
 - a. Overview of Recruitment Efforts/Goals

- VII. Executive Session

- VIII. Adjourn



JB Pritzker, Governor

Illinois Department of Human Services

Grace B. Hou, Secretary

100 South Grand Avenue, East • Springfield, Illinois 62762
401 South Clinton Street • Chicago, Illinois 60607

February 20, 2020

Daisy Feidt, Chief Executive Officer (acting)
Access Living
115 West Chicago Avenue
Chicago, Illinois 60654

Dear Daisy,

On January 28th and 29th of 2020, a full on-site compliance review was conducted of your Center, Access Living. This two-day on-site review was conducted by the IDHS Division of Rehabilitation Services' Independent Living Unit along with Peer Reviewer Therese Cardosi – Executive Director of the Options Center for Independent Living. The review addressed the programmatic, administrative, and fiscal operations of your Center as well as a review of its accessibility to individuals with disabilities.

Attached in this email is a copy of the completed On-Site Review Instrument and associated On-Site Compliance Review Narrative Report. The outcome of the review includes no findings and only three observations. Well done! No formal response from your Center is required. If you disagree with portions of the report, you may grieve the decision by offering written justification and rationale for your grievance within 30 days of receipt of this letter. A follow-up visit may be conducted by the Independent Living Unit within one year of the date of the original Compliance Review, if necessary.

Overall, we feel your review went very well. You should all be proud of the work you are doing. It is readily apparent that you and your staff have a very strong commitment to serving individuals with disabilities in your community. Please keep up the great work and the momentum! There are so many more individuals in Illinois and in your service area who need your help. Also, we very much appreciated your preparation, cooperation, and hospitality during our visit. Thank you. If you have any questions or concerns, please do not hesitate to contact me.

Respectfully,

Erik Hanson, MA LCPC
Manager, IDHS DRS Independent Living Unit

cc: John Schmidt, Access Living Board Chair
Therese Cardosi, Options CIL Executive Director
Anna Austin, Independent Living Unit Project Officer

On-Site Compliance Review Narrative Report

Fiscal Year: FFY2019
Name of Grantee: Access Living
Grant #: 46CXD00351
Date Completed: January 29th and 29th, 2020
Completed By: DHS Division of Rehabilitation Services, Independent Living Unit
Erik Hanson, Manager
Anna Austin, Project Officer
Therese Cardosi, Peer Reviewer and Executive Director of Options Center for Independent Living

Introduction

The purpose of this compliance review was to examine Access Living's compliance with State and federal rules and regulations, and contract requirements related to the Center's programmatic, administrative, and fiscal operations. This examination was completed over a two-day period through an on-site compliance review of the Center's location in Chicago, Illinois. The review team consisted of the DHS DRS Independent Living Unit (ILU) Manager, the ILU Project Officer, and a peer reviewer. The acting CEO Daisy Feidt, six additional program staff members, three members of the Access Living Board of Directors (including the Board Chair, Treasurer, and one Director), and six consumers were interviewed by the review team. Policy and procedure manuals, financial reports, training materials, contracts, annual 704 reports, outreach materials, bylaws, personnel files, consumer service records, annual and long-range strategic plans, and other resources all were reviewed and referenced during the compliance review. Exit interviews were conducted by the team with the Center's CEO (acting) and the Director of Finance and Administration, Neil Anderson.

The outcomes of DRS ILU compliance reviews are designated as either "findings," or "observations." Findings are outcomes that require formal responses by the Center to the ILU. These responses must be in the form of a corrective action plan and submitted to the ILU no later than 30 days after receipt of the On-site Compliance Review Narrative Report. Observations are those outcomes that the reviewers felt did not rise to the level of a formal finding, but that the review team would strongly encourage the Center to address and correct. The outcome of either a finding or an observation is then followed in this report by a "recommendation." Recommendations are suggestions from the review team on: ways to correct the findings; respond to observations; or ways to improve practices in general. Observations do not have to be part of the corrective action plan, but you are welcome to submit a written response to those as well. A follow-up visit by the ILU may be conducted approximately one year from the date of the original Compliance Review, if necessary.

Additionally, if you disagree with portions of the report, you may grieve the decision by offering written justification and rationale for your grievance within 30 days of receipt of this letter. A grievance should be submitted to the Manager of the ILU.

Findings

The review team found no observations that rose to the level of a formal finding. Well done!

Observations

The review team only had three observations for your Center. No formal response to this observation is required of the Center.

- Access Living keeps records of staff training; including retaining original sign-in sheets. However, there appears to be no easy way for a reviewer to see what training a specific staff member has received over a specific period of time.
Recommendation: Create a spreadsheet or database that would provide the option of searching all trainings a given staff member has attended. Would be useful during annual performance evaluation development, as well as to document performance improvement opportunities the employee has been given.
- An internal appeals process exists within Access Living; allowing consumers to appeal decisions made by front line staff to Access Living administrators. This process is not clearly outlined in current Center policy, or in materials provided to consumers on intake. The availability of CAP services is.
Recommendation: Amend policy on appeals process to more specifically outline steps consumers can take if unsatisfied with a decision. This would assist both consumer and CAP representative in navigating the appeals process.
- The current Release of Information used by Access Living may not be HIPPA compliant.
Recommendation: Review current Release of Information form to ensure HIPPA compliance. Specifically, HIPPA requires additional consumer authorization for highly protected health information (e.g. mental illness, substance abuse) above and beyond the signature on the release. Releases must also be updated annually, and an expiration date needs to be indicated on the form. Finally, there needs to be a place on the form for the consumer to withdraw the release in writing and include their signature.

Staff and Consumer Interview Comments

- "If I would need to change something, I feel I could ask and get it taken care of." (Staff member)
- "Need increase in number of staff so there would be no waiting list for consumers." (Staff member)
- "Really learned a lot about advocating for myself and for individuals with disabilities from staff." (Consumer)
- "The Center allows me to live as independently as I can." (Consumer)
- "Just go to HR or Neil and ask; they are very accommodating." (Staff member re: requests to attend trainings)
- "Access Living is the best agency I have worked for. It's not about a check. It's all about the people/consumers." (Staff member)

- “Staff helps me have a sense of pride, and that I have the power to make change happen.” (Consumer)
- Access Living always welcomes consumer input. (Staff and Consumers)
- “Need more printers on third floor.” (Staff member)
- ‘I feel very valued and respected as an employee of Access Living.” (Staff member)
- “The Center deserves an A+ [for the services provided to me].” (Consumer)
- All consumers interviewed indicated they were “Highly Satisfied” with the level of services received at the Center.

Summary

From the review of multiple consumer records, to interviews with consumers, program staff members and board members, to an in-depth two-day look at policies, procedures, bylaws, financial documents, etc., it has been made clear to this review team that the Center is carefully run by a team of executive and program staff committed to the provision of professional services in a professional manner. It is readily apparent that each staff member has a very strong desire to meet the needs of each of the Center’s consumers to the greatest extent possible; and to do so with empathy and compassion. The policies, procedures, and financial documentation provided to the review team was clear, complete, and made readily accessible without hesitation. The cooperation and hospitality shown to this review team by the Center’s staff, board members, and consumers was exemplary; for which the team wishes to offer its sincerest appreciation. Again, “Well done.”

Center for Independent Living (CIL) Onsite Review Instrument

Developed by the United States Department of Education,
Office of Special Education and Rehabilitative Services,
Rehabilitation Services Administration
Washington, D.C. 20202-2800

Fiscal Year: **2019**

Name of Grantee: **Access Living**

Grant #: **46CXD00351**

State: **Illinois**

Date Completed: **January 28th and 29th, 2020**

Completed By: **IDHS DRS Independent Living Unit**

Erik Hanson - Manager

Anna Austin - Project Officer

**Therese Cardosi - Peer Reviewer, and Director of Options Center
for Independent Living**

Rehabilitation Act of 1973, as amended
Title VII, Chapter I, Sections 706 and 722 – CIL Program

Part I

STANDARDS, INDICATORS AND ASSURANCES FOR CILS

The following questions are based on the CIL standards, indicators and assurances as required in Title VII of the Rehabilitation Act and the corresponding regulations.

I. Grantee is an Eligible Agency

Section 725(c)(1) of the Rehabilitation Act; 34 CFR 364.4(b)

Yes No The CIL meets the definition of eligible agency as defined in the statute and regulations.

Verification Source: **Annual 704 Report; Articles of Incorporation; 501(c)(3) documents; 990 tax filing; Access Living Bylaws.**

II. Standards and Indicators

Section 725(b) and (c)(3) of the Rehabilitation Act; 34 CFR Part 366, Subpart G; 704 Report, Part II

The purpose of this subpart is to measure the extent to which the CIL is in compliance with the standards and assurances in Section 725(b) and (c) of the act.

Compliance Indicator I – Philosophy

Section 725(b)(1) of the Rehabilitation Act; 34 CFR 366.63(a)

Consumer Control

Sections 702(2), 725(b)(1)(A) and 725(c)(2) of the Rehabilitation Act; 34 CFR 366.63(a)(1)

(a) Governing Board

Sections 725(b)(1)(A) and 725(c)(2) of the Rehabilitation Act; 34 CFR 366.50(b) and 366.63(a)(1)(i)(A)

Verification of Consumer Control

25 - Number of persons on the governing board.

15 - Number of governing board members with significant disabilities.

Yes No Is line (ii) over 50 percent of line (i)?

Recommended Practice: N/A

9 - Number of members from minority groups on the governing board.

Yes No Verification that the CIL Board is the Principal Decision-Making Body
The CIL board is the principal governing body of the CIL, as evidenced, for example, by its bylaws, policies and procedures, and other practices ensuring that policy decisions are vested with the governing body.

Recommended Practices: N/A

Yes No The CIL has policies and procedures specifying board members' roles and responsibilities.

Yes No The CIL has a written process for identifying and recruiting board members.

Verification Sources for Governing Board: **Access Living Bylaws; Access Living Board Meeting Minutes; Organization chart; Access Living Board Member Job Descriptions; Interviews with Access Living staff and board members.**

(b) CIL Employees

Sections 725(b)(1)(A) and 725(c)(6) of the act; 34 CFR 366.63(a)(1)(i)(B)

<u>CIL Employees</u>	<u>Total Persons</u>	<u>Persons with Disabilities</u>
Decision-making positions	13	10
Other staff positions	47	28

Yes No Over 50 percent of the CIL's employees in decision-making positions are filled by individuals with disabilities.

Yes No Over 50 percent of staff positions are filled by individuals with disabilities.

Recommended Practice: N/A

29 - Number of minority¹ employees (decision-making and other staff positions)

¹ In this instance, "minority" refers to members of racial or ethnic groups that have been traditionally underrepresented.

Verification Sources for CIL Employees: **Staff interviews; Staff Roster; Organization Chart; Personnel files review.**

Self-help and Self-advocacy

Section 725(b)(1)(B) of the Rehabilitation Act; 34 CFR 366.63(a)(2)

Yes No The CIL promotes self-help and self-advocacy among individuals with significant disabilities.

Verification Sources for Self-help and Self-advocacy: **Consumer Service Record review; Annual 704 Report; Access Living Bylaws; Staff, board and consumer interviews.**

Development of Peer Relationships and Peer Role Models

Section 725(b)(1)(C) of the Rehabilitation Act; 34 CFR 366.63(a)(3)

Yes No The CIL promotes the development of peer relationships and peer role models among individuals with significant disabilities.

Verification Sources for Development of Peer Relationships and Peer Role Models: **Staff, board and consumer interviews; Consumer Service Record review; Annual 704 Report; Access Living Bylaws; Programs and services policies and descriptions.**

Equal Access

Section 725(b)(1)(D) of the Rehabilitation Act; 34 CFR 364.23(b) and 366.63(a)(4)(5)

- Yes** No Ensures equal access of individuals with significant disabilities, including communication and physical access, to the CIL’s services, programs, activities, resources and facilities, whether publicly or privately funded. *Equal access, for purpose of this question, means that the same access is provided to any individual with a significant disability regardless of the individual’s type of disability.*
- Yes** No Advocates for and conducts activities that promote the equal access to all services, programs, activities, resources and facilities in society, whether public or private, and regardless of funding source, for individuals with significant disabilities. *Equal access, for the purposes of this question, means that the same access provided to individuals without disabilities is provided in the center’s service area to individuals with significant disabilities.*
- Yes** No To the maximum extent feasible, makes available personnel able to communicate with individuals with significant disabilities who rely on alternative modes of communication (manual communication, nonverbal communication, Braille, audiotapes, etc.) and who apply for or receive IL services.
- Yes** No To the maximum extent feasible, makes available personnel able to communicate in the native languages of individuals with significant disabilities whose English proficiency is limited and who apply for or receive IL services.
- Yes** No Makes available in alternate formats, as appropriate, all of its written policies, materials and IL services (e.g., Braille, large print, audio tape).
- Yes** No The CIL is physically accessible for individuals with significant disabilities, for example, individuals with mobility disabilities (e.g., signage, doors, bathrooms, parking lots) or individuals with Environmental Illness and Multiple Chemical Sensitivity (e.g., no-fragrance policy or use of “green” cleaners).
- Yes** No The CIL ensures communication access for individuals with significant disabilities by using, for example, TDDs/TTYs for individuals with hearing disabilities or picture boards and/or other means of communication for individuals with cognitive disabilities.

<u>Types of reasonable accommodation:</u>	<u>Full-time</u>	<u>Part-time</u>	<u>Upon Request</u>
Interpreters are available at the CIL.	X	X	X
Readers are available at the CIL.	X		
Personal attendants are available at the CIL.		X	X

Verification Sources for Equal Access: **Staff, board and consumer interviews; Annual 704 Report; Accessibility site survey; Access Living Bylaws; Consumer Service Record review; Access Living Personnel policies and procedures.**

Section 725(b)(2) of the Rehabilitation Act; 34 CFR 366.63(b)

- | | | |
|------------|----|--|
| <u>Yes</u> | No | Provides IL services to eligible individuals or groups of individuals without restrictions based on the particular type or types of significant disability of an individual or groups of individuals, unless the restricted IL service (other than the IL core services) is unique to the significant disability of the individuals to be served, e.g., Braille instruction for persons who are blind. |
| <u>Yes</u> | No | Provides IL core services to individuals with significant disabilities in a manner that is neither targeted nor limited to a particular type of significant disability. |
| <u>Yes</u> | No | Provides IL services to individuals with a diversity of significant disabilities and individuals who are members of populations that are unserved or underserved by programs under Title VII of the act. |

Verification Sources for Provision of Services on a Cross-Disability Basis: **Access Living Bylaws; Annual 704 Report; Consumer Service Record review; Staff, board and consumer interviews; Access Living Personnel policies and procedures.**

Compliance indicator 3 – Independent Living Goals

Section 725(b)(3) of the Rehabilitation Act; 34 CFR 366.63(c); 34 CFR 364.52; 34 CFR 364.53

- | | | |
|------------|----|--|
| <u>Yes</u> | No | The CIL maintains a consumer service record (CSR) for each consumer. |
|------------|----|--|

The CSRs contain:

- | | | |
|------------|----|--|
| <u>Yes</u> | No | Documentation showing that the individuals are eligible or ineligible for services (only those eligible are served). |
| <u>Yes</u> | No | Written Independent Living Plans (ILPs) or written waivers from the consumers stating that ILPs are unnecessary. |
| <u>Yes</u> | No | Information on the services requested by, and the services provided to, or arranged for, the consumers. |
| <u>Yes</u> | No | The IL goals or objectives established with the consumers, whether or not in the ILPs. |
| <u>Yes</u> | No | The goals or objectives the consumers believe they have achieved. |

The CIL maintains documentation on:

- | | | |
|------------|----|---|
| <u>Yes</u> | No | CIL notification to consumers of their right to develop, or waive the development, of |
|------------|----|---|

an ILP.

- Yes No The number of ILPs developed by consumers receiving services from the CIL.
- Yes No The number of waivers signed by consumers receiving services from the CIL stating that an ILP is unnecessary.
- Yes No The CIL's facilitation of the development and achievement of IL goals selected by individuals with significant disabilities who request assistance from the CIL.
- Yes No The CIL's provision of opportunities for consumers to express satisfaction or dissatisfaction with the CIL's services and policies and documentation the CIL sends any results to its governing board and the appropriate SILC.

The ILPs:

- Yes No Indicate the goals or objectives established, the services to be provided and the anticipated duration of the services.
- Yes No Are developed jointly and signed by the appropriate CIL staff member and the individual with a significant disability/legally authorized representative.
- Yes No Are provided in accessible formats, as needed.
- Yes No Are reviewed at least annually to determine whether services should be continued, modified or discontinued and/or whether the individual should be referred to another program, including VR, developmental disability or special education individualized plans as appropriated.

Recommended Practice: N/A

- Yes No The CIL has written CSR management policies and procedures.

Verification Sources for Independent Living Goals: **Consumer Service Record review; Access Living policies and procedures; Annual 704 Report.**

**Compliance Indicator 4 – Community Options and Community Capacity
Section 725(b)(4), (6), and (c)(10) of the Rehabilitation Act; 34 CFR 366.63(d)**

The CIL performed at least one activity in each of the following categories during the reporting year:

- Yes No Community advocacy.
- Yes No Technical assistance to the community on making services, programs, activities, resources and facilities in society accessible to individuals with significant disabilities.
- Yes No Public information and education.

- Yes No Aggressive outreach to populations of individuals with significant disabilities that are unserved or underserved by programs under Title VII of the act in the CIL's service area.
- Yes No Collaboration with service providers, other agencies, and organizations that could assist in improving opportunities for individuals with significant disabilities to avail themselves of the services, programs, activities, resources and facilities in the CIL's service area.
- Yes No Did the CIL's outreach to unserved or underserved populations include minority groups and urban and rural populations?

Verification Sources for Community Options and Community Capacity: **Annual 704 Report; Periodic Performance Reports; Staff, board and consumer interviews; Access Living Board Meeting Minutes.**

**Compliance indicator 5 – IL Core Services and Other IL Services
Section 725(b)(5) of the Rehabilitation Act; 34 CFR 366.63(e); 34 CFR 364.51(b)(2)(iii); 34 CFR 364.58**

- Yes No The CIL provides information and referral services to all individuals who request this type of assistance from the CIL in accessible formats.

The CIL provides the following services in response to requests from individuals with significant disabilities who are eligible for IL services:

- Yes No Independent living skills training.
- Yes No Peer counseling (including cross-disability peer counseling).
- Yes No Individual and systems advocacy.
- Yes No A combination, as appropriate, of any two or more of the IL services defined in Section 7(18)(B) of the act.

The CIL maintains documentation regarding notification of applicants and consumers about:

- Yes No Policies and procedures, including accessible formats, to obtain review of decisions made by the CIL concerning requests for/provision of IL services.
- Yes No The availability of the Client Assistance Program (CAP) and how to contact the CAP, including accessible formats.

Verification Sources for IL Core Services and Other IL Services: **Annual 704 Report; Consumer Service Record review; Staff and consumer interviews; Access Living Bylaws; CAP consumer handout.**

Compliance indicator 6 – Resource Development
Section 725(b)(7) of the Rehabilitation Act; 34 CFR 366.63(e)

Yes No The CIL during the reporting year conducted resource development activities to obtain funding from sources other than Chapter 1, Title VII, of the act.

Verification Sources for Resource Development Activities: **Staff and board interviews; Annual 704 Report; Access Living Board Meeting Minutes.**

III. Program and Financial Planning Objectives
Section 725(c)(4) of the Rehabilitation Act; 34 CFR 366.50(d)

Yes No The CIL has established annual and three-year program and financial planning objectives.

Yes No The objectives include the CIL's goals and mission.

Yes No The CIL has a current work plan for achieving the goals or mission and has included specific activities to meet the requirements in the indicators.

Yes No The work plan includes specific services, priorities and types of services to be provided.

Yes No The objectives and work plan are consistent with the current SPIL.

Recommended Practices: N/A

Yes No The work plan includes objectives and goals for obtaining or increasing non-Title VII funding.

Yes No The work plan addresses board, staff and/or volunteers training.

Verification Sources for Program and Financial Planning Objectives: **Access Living 2020-2023 Strategic Plan; Access Living FY2020 Work Plan; Annual 704 Report; Staff and board interviews.**

IV. 704 Report Accuracy and Documentation
Section 725(b)(c) of the Rehabilitation Act; 34 CFR 366.50(h)(i)

Yes No The CIL has implemented internal controls and procedures (including quality assurance) to ensure 704 Report accuracy and documentation.

Yes No Based on the CSRs, consumer lists, physical files and other documentation reviewed by RSA, the funding sources and amounts, CSR data (number of consumers, consumer demographics, ILPs and waivers, IL services and goals), standards and assurances compliance and other information in the most recent 704 Report are accurate and complete.

Part II

ORGANIZATION AND ADMINISTRATION OF THE CIL

V. Organizational and Personnel Practices

Sections 704(m)(2) and 725(c)(5) of the Rehabilitation Act; 34 CFR 364.31; 34 CFR 366.50(e)

Yes No The CIL uses sound organizational and personnel assignment practices (including organizational chart indicating lines of authority, job descriptions, performance appraisals).

Yes No The personnel practices include affirmative action to employ and advance in employment qualified individuals with significant disabilities.

Recommended Practice: N/A

Yes No The CIL has personnel policies addressing such areas as wage and salary, fringe benefits, vacation and sick leave, etc.

Verification Sources for Organizational and Personnel Practices: **Access Living Organization Chart; Personnel file review; Access Living Job Descriptions; Staff interviews; Access Living Personnel policies and procedures.**

VI. Staff Development and Training

Section 725(c)(11) of the Rehabilitation Act; 34 CFR 364.23(a); 34 CFR 364.24; 34 CFR 366.50(l)

Yes No The CIL includes personnel who are specialists in the development and provision of IL services and in the development and support of centers.

Yes No The CIL has established and maintains a program of staff development for all classes of positions involved in providing IL services and, where appropriate, in administering the CIL program.

Yes No The staff development program is directed at improving the skills of staff directly responsible for the provision of IL services, including knowledge of and practice in the IL philosophy.

Yes No The staff receives training on how to serve unserved and underserved populations, including minority groups and urban and rural populations.

Recommended Practice: N/A

Yes No The CIL has a governing board training and development program.

Verification Sources for Staff Development and Training: **Staff and board member interviews; Personnel file review; Access Living Board Meeting Minutes.**

VII. Conflict of Interest
EDGAR 34 CFR 75.525

- Yes No The CIL safeguards against a person (employee, board member, volunteer) to participate in an administrative decision regarding a project if the decision is likely to benefit that person or a member of his or her immediate family and that person is a public official or has a family or business relationship with the CIL.
- Yes No The CIL safeguards against any person in the project to use his or her position for a purpose that is, or gives the appearance of being, motivated by a desire for a private financial gain for that person or for others.

Verification Sources for Conflict of Interest: **Staff and board member interviews; Access Living Conflict of Interest policy and disclosure form; Access Living Bylaws.**

VIII. Confidentiality
34 CFR 364.56(a)

- Yes No The CIL has adopted and implemented policies and procedures to safeguard the confidentiality of all personal information, including photographs, publicity releases and lists of names that comply with 34 CFR 364.56(a) requirements including but not limited to:
- Yes No protecting current and stored personal information.
- Yes No informing IL applicants or consumers, authorized representatives, service providers and others, as appropriate, about the confidentiality of personal information and the conditions for gaining access to and releasing this information.

Recommended Practice: N/A

- Yes No The CIL has meeting space that ensures that consumers' confidentiality is protected when meeting with staff.

Verification Sources for Confidentiality: **Site review; Consumer Service Record review; Access Living Personnel policies and procedures; Access Living Release of Information form;**

IX. Drug-Free Workplace
EDGAR 34 CFR 84.200 – 84.230

- Yes No The CIL conforms to the requirements of a drug-free workplace.
- Yes No A statement is published notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of controlled substances is prohibited at the CIL and specifying the action that will be taken against employees for violating the prohibition.
- Yes No The CIL has established an ongoing drug-free awareness program.
- Yes No Each grant-funded employee has been given a copy of the prohibition statement,

including a notification that conditions of employment at the CIL require abiding by the statement and informing the director of the CIL of any convictions under a drug statute.

N/A The CIL has taken appropriate personnel action against employees or has required employees to participate in drug abuse assistance program or rehabilitation program if such employees were convicted under a criminal drug statute conviction.

Verification Sources for Drug-Free Workplace: **Interview with acting CEO and Director of Finance and Administration; Personnel file review; Access Living Personnel policies and procedures.**

X. Insurance Coverage
EDGAR 34 CFR 74.31

Yes No The CIL has insurance coverage for real property and equipment acquired with federal funds equivalent to that provided for property owned by the grantee.

Verification Sources for Insurance Coverage: **Insurance policy review**

XI. Nondiscrimination
EDGAR 34 CFR 75.500

Yes No The CIL does not deny services to persons on the basis of their race, color, national origin, sex, age or the existence of a disability.

Verification Sources for Nondiscrimination: **Access Living Bylaws; Access Living Personnel policies and procedures; Consumer Service Record review; Staff, board and consumer interviews.**

XII. Prohibition Against Lobbying
EDGAR 34 CFR 82.100; 2 CFR 230, Attachment B, Item 25

** Question regarding Certification of Lobbying Form ED-80-0013 removed. No longer found on ACL or USDOE websites.*

Yes No Incorporates provisions consistent with 2 CFR 230, Attachment B, Item 25 safeguarding against lobbying in its written policies and procedures.

Part III

GRANTS MANAGEMENT

XIII. Sources and Amounts of Funding (as verified by the review team)

****As reported by Access Living on FY2019 ACL CIL PPR****

(A) Title VII, Ch. 1, Part B	\$ 0
(B) Title VII, Ch. 1, Part C	\$ 249,873
(C) Title VII, Ch. 2	\$ 0
(D) Other Federal Funds	\$ 0
(E) State Government Funds	\$ 379,722
(F) Local Government Funds	\$ 0
(G) Foundations, Corporations, or Trust Grants	\$ 232,639
(H) Donations from Individuals	\$ 0
(I) Membership Fees	\$ 0
(J) Investment Income/Endowment	\$ 0
(K) Fees for Service (program income, etc.)	\$ 0
(L) Other Resources (in-kind, fundraising, etc.)	\$ 0

Item 4 - Total Income

Total income = (A)+(B)+(C)+(D)+(E)+(F)+(G)+(H)+(I)+(J)+(K)+(L) **\$ 862,234**

Item 5 - Pass Through Funds

Amount of other government funds received as pass through funds to consumers to consumers, e.g., personal assistance services, representative payee funds, or Medicaid funds) **\$ 0**

Net Operating Resources

Total Income (Section 4) <minus> amount paid out to consumers (Section 5) = Net Operating Resources **\$ 862,234**

IV. Grant Related Income

34 CFR 364.6; EDGAR 34 CFR 74.2 and 74.24

Yes No If program income is generated with federal funds, such income is used for allowable and approved purposes.

Verification Sources for Grant Related Income: **Monthly Expenditure Reports; Periodic Financial Reports; Annual 704 Report; Year End Financial Statement; Access Living Financial policies; Staff interviews.**

V. Budget

EDGAR 34 CFR 74.21, 74.25, 75.702 and 75.730

- Yes No Expenditures are recorded by budget cost category and funding sources.
- Yes No Procedures are followed to assure expenditures are consistent with the approved budget of the CIL.
- Yes No CIL requests prior RSA approval for budget and program plan revisions, when required under EDGAR 74.25.

Verification Sources for Budget: **Monthly Expenditure Reports; Periodic Financial Reports; Annual 704 Report; Year End Financial Statement; Access Living Financial policies; Staff interviews.**

XVI. Personnel Cost Allocation
2 CFR 230, Attachment B, Item 8(m)(1)

- Yes No Salaries and wages are charged based on documented payrolls approved by a responsible official.
- Yes No The distribution of salaries and wages are supported by personnel activity reports described in 2 CFR 230 Appendix B, Item 8(m)(2) and reflecting an after-the-fact determination of the actual activity of each employee.
- Yes No The CIL maintains reports reflecting the distribution of activity of all staff members whose compensation is charged to the award.

XVII. Fiscal Management
EDGAR 34 CFR 74.21, 74.22, 74.52, 75.702, 75.707, 75.730; 2 CFR 230 Appendix A, Paragraph D

The CIL's financial management systems provides for the following:

- Yes No Accurate, current, and complete disclosure of the financial results of each federally-sponsored project in accordance with the reporting requirements of the SF-425 financial status report, including program income, federal and recipient shares of expenditures, indirect costs, etc.
- Yes No Records that identify adequately the source and application of funds for federally-sponsored activities.
- Yes No Effective control over and accountability for all funds, property and other assets in order to safeguard all assets and ensure they are used solely for authorized purposes.
- Yes No Comparison of outlays with budget amounts for each award.
- Yes No Written procedures that minimize the time between the transfer of funds and the disbursement of funds by the recipient.
- Yes No Written procedures for determining the reasonableness, allocability and allowability

of costs.

Yes No Accounting records, including cost-accounting records, supported by source documentation and entries are made on a timely basis.

Name/Title of person responsible for preparation of the SF-425: **Neil Anderson – Director of Finance and Administration**

Yes No The CIL has an approved U.S. Department of Education cost allocation plan (CAP) or indirect cost rate.

Yes No The CIL distributes administrative costs among its various funding sources in an equitable manner as described in the CIL's approved CAP or indirect cost rate.

Verification Sources for Fiscal Management: **Monthly Expenditure Reports; Periodic Financial Reports; Annual 704 Report; Year End Financial Statement; Access Living Financial policies; Staff interviews.**

**XVIII. Accounting Systems
EDGAR 34 CFR 74.21**

Yes No The organization maintains a formal accounting system.

If the accounting system is computerized, identify the accounting program software used: **MIP (Micro Information Processing) by Sage**

The elements of the formal accounting system are (*check as appropriate*):

- General Ledger
- Grant Ledger
- General Journal
- Cash Receipts

Describe other(s):

The formal accounting system is maintained by (*check as appropriate*):

- Cash basis
- Accrual basis

Describe other(s):

Verification Sources for Accounting Systems: **Monthly Expenditure Reports; Periodic Financial Reports; Annual 704 Report; Year End Financial Statement; Access Living Financial policies; Staff interviews.**

**XIX. Travel Costs
EDGAR 34 CFR 74.27; 2 CFR 230, Attachment B, Item 51(b)**

Yes No Travel costs incurred by employees and officers are reasonable and allowable, i.e., do not exceed charges allowed under the CIL's written travel policy or, in the

absence of such a policy, as provided in 2 CFR 230, Attachment B, Item 51(b).

Yes No Travel costs reimbursement requests for federal funds are justified and documented, e.g., through travel authorizations, receipts, etc., in accordance to the CIL's travel policy.

The policy provides for reimbursement by (*check as appropriate*):

X (1) Actual expenses

X (2) Per diem

Verification Sources for Travel Policies: **Monthly Expenditure Reports; Periodic Financial Reports; Annual 704 Report; Year End Financial Statement; Access Living Financial policies; Staff interviews.**

XX. Procurement

EDGAR 34 CFR 74.21 and 74.40 - 74.48

**** Access Living uses unrestricted funds to purchase all equipment and property. So, this section is not relevant to administration of Federal and State IL grant funds.****

Yes No The CIL has written procurement procedures complying with EDGAR 34 CFR 74.44.

Yes No The procurement procedures give adequate consideration to costs, quality, delivery, competitive bidding, inspection and acceptance, as well as reasonableness, allocability and allowability of costs.

Yes No The procurement procedures address the 34 CFR 74.42 – 74.48 requirements including written contract award and administration code of conduct; open and free competitions; cost and price analysis; records and files; contractor conformance/performance.

Yes No There is separation of responsibility for the authorization for purchasing and the subsequent payment. For example, payments are made only if disbursements or checks are countersigned.

Yes No Payment vouchers are identified as to funding sources, expense classification and transaction date.

The executive staff/board approval is needed for items over: **\$1500**

The person(s) responsible for purchasing equipment and supplies: **Neil Anderson, Director of Finance and Administration**

Verification Sources for Purchasing: **Access Living Financial policies; Staff interviews.**

XXI. Property

EDGAR 34 CFR 74.34(f) and (g), 74.44(a)

**** Access Living uses unrestricted funds to purchase all equipment and property. So, this section is not relevant to administration of Federal and State IL grant funds.****

- Yes No The CIL maintains current and complete records of all property purchased with grant funds.
- Yes No The CIL has a system for controlling inventory (general ledger control account, card reports, property labels).
- Yes No Maintenance of property and equipment records are kept.
- Yes No Records contain: description of each piece of equipment; purchase date/cost; manufacturer's serial number, model number, federal stock number, national stock number, or other ID number; source of equipment award number; where title vests; information from which federal participation can be calculated; location and condition of the equipment, date information was reported; and ultimate disposition
- Yes No The CIL inventories property at least once every two years.

Date of last inventory:

- Yes No Adjustments to inventory accounts are made only on written authority of a designated official.

Name/Title of designee:

- Yes No The CIL guards against loss, damage or theft of property.
- Yes No The CIL has policies, procedures and controls for purchasing and disposing of property.

Recommended Practice:

Verification Sources for Property: **Access Living Financial policies; Staff interviews.**

XXII. Conferences and Meetings

2 CFR 230; Memorandum to Grantees Regarding the Use of Grant Funds for Conferences and Meetings, U.S. Department of Education, June 2012 (GAN Enclosure 7)

- Yes No The CIL ensures (e.g., through written polices or procedures) that, when hosting a conference or meeting, Part C or other federal funds are not used to purchase:
- food for attendees unless doing so is necessary to accomplish legitimate conference business;*
 - alcoholic beverages; or

- entertainment (amusement, diversion, social activities, etc.)*

* This prohibition does not apply to social and recreational services described in 34 CFR 364.4 and related to IL goal(s) in a consumer's CSR, such as peer support meetings.

XXIII. Records Retention

34 CFR 364.53; EDGAR 34 CFR 74.53(b); EDGAR 34 CFR 75.730

Yes No Financial, consumer records and other documentation are maintained and retained for a period of three years in accord with federal requirements.

Verification Sources for Records Retention: **Consumer Service Record review; Site survey.**

Division of Rehabilitation Services – Independent Living Unit

Compliance Review Accessibility Observation Screening Tool

(Based on the Illinois Accessibility Code Site Inspection Checklist.)

1) For individuals with mobility disabilities:

- Yes / No / NA Accessible by public transportation, if locally available?
- 7 Yes / No / NA Adequate accessible parking?
- Yes / No / NA Ramps meet ADA requirements?
- Yes / No / NA Automatic doors, light switches and door handles?
- Yes / No / NA Easy to spot signage in and around the CIL?
- Yes / No / NA Doorways, hallways, and walkways meet ADA requirements?
- Yes / No / NA Accessible elevators?
- Yes / No / NA Restrooms are accessible?
- Yes / No / NA Are water fountains wheelchair accessible?
- Yes / No / NA Workstations, and tabletops and filing cabinets are accessible?
- Yes / No / NA Do obstacles exist on the floor to hinder free movement?

2) For individuals with environmental illness or multiple chemical sensitivity:

- Yes / No / NA Are scented flowers, soaps, sprays, lotions and perfumes in use?
- Yes / No / NA Does harsh lighting exist?
- Yes / No / NA Are there alternative ways of ensuring access to CIL services?

3) For individuals with hearing disabilities:

- Yes / No / NA Are TDDs, TTYs and/or other means of communication available?
- Yes / No / NA Are interpreters available as needed?

4) For individuals with visual disabilities:

- Yes / No / NA Brailers and/or other means of communication available/used?
- Yes / No / NA Materials in different forms (e.g. Braille, large print, tape)?
- Yes / No / NA Signage has tactile and braille characters and/or symbols?
- Yes / No / NA Readers available as needed?

5) For individuals with learning disabilities:

- Yes / No / NA Picture boards and/or other means of communication?

6) Other:

- Yes / No / NA Personal attendants available as needed?

Revised: 11/2017

CONFIDENTIAL AND PRIVILEGED: DO NOT DISTRIBUTE

MEMORANDUM

TO: Executive Committee

FROM: Ken Walden, Charles Petrof, and Mary Rosenberg

RE: Update on Uber case, City of Chicago case (Affordable Rental Housing Program) case, City of Chicago case (Emergency Shelters), CPS case, Deakin case

DATE: February 17, 2020

Uber – Federal Court

NO UPDATES/CHANGES SINCE BOARD MEETING OF FEBRUARY 5

On December 9, 2019, the 7th Circuit Court of Appeals heard oral argument on our appeal. We appealed the lower court's decision denying our Motion (request) for Leave (an opportunity) to Amend our Complaint to address the judge's previous ruling that Access Living, as an organization, and Rahnee Patrick, as an individual, could not be plaintiffs in the case.

Both sides were given 20 minutes to argue, a substantial amount of time in the 7th Circuit. The three judge panel consisted of Judges Rovner, Easterbrook and Scudder. Questioning was sharp on both sides, but it is probably dangerous to assume too much about the outcome from the questions. We now wait for the panel to issue its written decision.

City of Chicago (Affordable Rental Housing Program) – Federal Court

NO UPDATES/CHANGES SINCE BOARD MEETING OF FEBRUARY 5

As reported previously, the parties have moved into the discovery phase of litigation, which is the sharing of information with each side via formal written requests for information and interviews with potential witnesses.

District Court Judge Dow referred the parties to Magistrate Judge Cole for help resolving discovery disputes. We have been before Judge Cole a handful of times, but became concerned that he was defining the scope of discovery in a manner inconsistent with Judge Dow's directives. Accordingly, we filed with Judge Dow a motion to define the scope of discovery to help get everyone on the same page about the scope. The motion will be considered and a hearing set after Judge Dow considers the papers filed on this issue.

City of Chicago (Housing Shelters) – Federal Court

We settled our lawsuit alleging plaintiff Laura Martin was denied access to City of Chicago homeless shelters because the shelters are inaccessible in violation of Title II of the ADA. The

Memorandum to Board of Directors
February 17, 2020

settlement provides monetary damages to Ms. Martin and reserved for later the question of the appropriate amount of attorneys' fees for plaintiff's lawyers. Since our last report, led by the law firm Porter Wright, which has worked on this case *pro bono*, we have been negotiating the amount of attorneys' fees with the City. If negotiations are not successful, Judge Gettleman will award the amount of fees he believes is appropriate.

UPDATE – NEW FILING

On February 13, because the case on behalf of Ms. Martin settled without an order requiring the City to address the accessibility of its shelters, we – along with our partners at Coalition for the Homeless and the law firm Porter Wright - filed a new lawsuit in federal court on behalf of a new plaintiff, the goal of which is to force the City to make its shelter system accessible. The case is captioned *Gloria Carter vs. City of Chicago*.

Chicago Public Schools – Federal Court

NO UPDATES/CHANGES SINCE BOARD MEETING OF FEBRUARY 5

We represent a CPS primary school student and her mother in their demand for installation of an elevator in the student's school, which the student needs in order to make the school accessible to her.

On December 17, 2019, we completed briefing on our motion for summary judgment. Our motion argues that CPS violated the ADA in two separate ways. First, we argue the CPS school selection process discriminates against students with disabilities because only half of the schools available through that process are physically accessible, giving students with disabilities half the choices enjoyed by students without disabilities. Second, we argue CPS should be required to accommodate our client's disability because installing an elevator at one of its schools would not fundamentally alter CPS's activities. In furtherance of this second argument, we stress that for a district the size of CPS, the cost of an elevator is dwarfed by its general activities, even in years of great financial hardship.

Also on December 17, 2019, CPS completed briefing its own motion for summary judgment. The CPS motion argues CPS's offer to transfer our client to a different school that operates in an accessible building is all that is required for compliance with Section 504 or the ADA. CPS further argues that transfer to an accessible building has been ruled to be a sufficient remedy under the Individuals with Disabilities in Education Act (IDEA).

The Judge in our case will now consider whether the ADA provides different protections than the IDEA in situations like ours. A decision is expected this summer.

Deakin Case – Federal Court

NO UPDATES/CHANGES SINCE BOARD MEETING OF FEBRUARY 5

In December, Access Living and the law firm Relman Colfax filed a fair housing complaint on behalf of a family that wants to modify an historic home in the historic neighborhood of Old Town to make it accessible for their 14-year-old daughter who uses a wheelchair. Namely, the

Memorandum to Board of Directors
February 17, 2020

family desires to create an accessible entrance, garage, and small living space in the rear of the building, install an elevator from there to upper floors, and make other accessibility improvements. Sadly, the family's effort is opposed by a group of neighbors who comprise the Old Town Triangle Association (OTTA), who claim the modifications will compromise the historical nature of the neighborhood and home, even though a number of historical preservation organizations have approved the family's plans for the home. The complaint alleges the OTTA's actions violate the Fair Housing Act, including the provision that prohibits coercion, intimidation, threats, or interference against someone who exercises his/her housing rights.

You may recall we previously helped this same family win approval for its planned modifications from the Chicago Zoning Board of Appeals (ZBA). Unfortunately, the OTTA appealed the ZBA's decision to the Circuit Court (state court), and that case remains pending in that court. Access Living, as an organization, successfully intervened in the state court case to stress the fair housing implications of the case, and will urge the court to uphold the ZBA's decision.

Accordingly, and in summary, we continue to advocate on the family's behalf in the state court case, but also co-filed and are co-counseling the new case in federal court.