

SILC Council Operational Polices:

1. WIOA SILC Indicators of Minimum Compliance:
   1. Member Recruitment.
   2. Conflict of Interest
   3. Public Meeting Requirements/Advance notice of public SILC Meetings
   4. Closed Council Meeting Sessions
   5. Accommodation Requests
   6. Public input into the SPIL
   7. Process to verify CIL eligibility to sign the SPIL.

**Legal Requirement for Policies:** 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.

**Background:** Each Statewide Independent Living Council (SILC) that receives resources under this part shall carry out the activities of the SILC found in 45 CFR 1329.15(a) and comply with the indicators set out in subsection (b) of this document, and provide and comply with assurances set out in subsection (c) of this document in order to ensure that all activities under this part are planned, conducted, administered, and evaluated in a manner consistent with the purposes of this chapter and the objective of carrying out activities to better serve individuals with disabilities and helping achieve the purposes of the Act (45 CFR 1329.15(d)).

**Michigan SILC recruitment of new members.**

1. The SILC will maintain a recruitment committee appointed by the chair and comprised of three voting council members.
2. This committee will be responsible to ensure:
   1. Method for recruitment of SILC council members.
   2. Review of applications
   3. Provision of recommendations for eligible appointments to the appointing authority, the Michigan Governor’s appointment office.
3. Procedure on recruitment of new members:
   1. The recruitment committee will complete the following procedures:
      1. Meet Semi-Annually.
      2. Review SILC Council composition and terms.
      3. Develop and maintain SILC application document for committee review.
      4. Recruit members who have knowledge of the Independent Living Movement.
      5. Ensure recruited members will maintain the legal compliance re: the makeup of the council.
      6. Review applications received to the SILC and provide two recommendations per open position to the Governor’s Appointment office.

**Method for identification and resolution of conflicts of interest.**

1. In order for SILC members to be aware of both real and apparent conflicts of interest which sometimes occur in the course of conducting the affairs of the council, SILC will maintain a conflict of interest and resolution procedure.
2. At least annually, the SILC members will be trained in the SILC policy and procedure related to conflicts of interest and code of ethics.
3. In connection with any actual or possible conflict of interest, an interested member must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the council considering the proposed transaction or arrangement.
4. SILC Procedure for identification and resolution of conflict of interests:
   1. Duty to Disclose
      1. In connection with any actual, preceived or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the SILC considering the proposed transaction or arrangement.
      2. SILC Council members will annually complete a conflict of interest statement where they disclose the existence of financial interest.
   2. Determining Whether a Conflict of Interest Exists
      1. After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the governing board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall decide if a conflict of interest exists.
   3. Procedures for Addressing the Conflict of Interest.
      1. An interested person may make a presentation at the governing board or committee meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
      2. The chairperson of the governing board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
      3. After exercising due diligence, the governing board or committee shall determine whether the corporation can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
      4. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the governing board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the corporation’s best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination it shall make its decision as to whether to enter into the transaction or arrangement.
   4. Violations of the Conflicts of Interest Policy.
      1. If the governing board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
      2. If, after hearing the member’s response and after making further investigation as warranted by the circumstances, the governing board or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate corrective action.

**Hold Regular Public Meetings/Advance Notice of Meetings:**

1. In order to comply with CFR 1329.15 c(3), Michigan Executive order 2016-11 III A (3), and the Michigan Open Meetings Act. All regularly scheduled meetings of the SILC will be open to the public and advance notice will be provided.
2. Procedure for regular public meetings and advanced notice:
   1. All SILC regular business meeting notifications and draft agenda will be posted at [www.misilc.org](http://www.misilc.org) and [www.misilctext.org](http://www.misilctext.org) at minimum of 10 work days prior to the meeting.
   2. The SILC chair will ensure that all SILC regular meetings comply with the Michigan Open Meetings Act.

**Closed Session Council Meetings:**

1. In order to ensure compliance with the Michigan Open Meetings act, the SILC Council may enter a closed session only under the purposes of the Michigan Open Meetings Act Section 15.268.
2. Procedure for closed session council meetings:
   1. There must be a permissible purpose under Michigan Open Meetings Act Section 15.268
   2. An agenda of the close session meeting will be made available to the public.
   3. A 2/3rds roll call vote of members will be required to enter into a closed session.
   4. The roll call vote and the purpose for calling the closed session shall be entered into the minutes of the regular meeting.
   5. A separate set of minutes shall be taken by the secretary for the closed session.
   6. The meeting minutes of the closed session shall be retained and are not available to the public and shall only be disclosed if required by a civil action.
   7. The closed session minutes will be destroyed 1 year and 1 day after approval of the minutes of the regular meeting at which the closed session was approved.

**Reasonable Accommodation Requests:**

1. In order to ensure all members of the public have the opportunity to participate in the SILC council business meetings. SILC will provide reasonable accommodations upon request.
2. SILC will ensure that CART is available at all regular meetings.
3. Procedure for reasonable accommodation requests:
   1. All reasonable accommodation requests must be made 7 days prior to the posted meeting time.
   2. Requests can be made via written, phone, or email to the SILC Operations Manager.

**Public Comment on the SPIL:**

1. The  [State](https://www.law.cornell.edu/definitions/index.php?width=840&height=800&iframe=true&def_id=371c05588f192b3c4b319ecfc99e35c5&term_occur=1&term_src=Title:45:Subtitle:B:Chapter:XIII:Subchapter:C:Part:1329:Subpart:B:1329.17) may  [use](https://www.law.cornell.edu/definitions/index.php?width=840&height=800&iframe=true&def_id=a7df3745b9542d7c0f61426ea5f978d4&term_occur=1&term_src=Title:45:Subtitle:B:Chapter:XIII:Subchapter:C:Part:1329:Subpart:B:1329.17) funds received under Part B to support the Independent Living Services program and to meet its obligations under the  [Act](https://www.law.cornell.edu/definitions/index.php?width=840&height=800&iframe=true&def_id=0428940761849f2241da1c4964c44de8&term_occur=1&term_src=Title:45:Subtitle:B:Chapter:XIII:Subchapter:C:Part:1329:Subpart:B:1329.17), including the section 704(e) requirements that apply to the provision of independent living services. The  [State plan](https://www.law.cornell.edu/definitions/index.php?width=840&height=800&iframe=true&def_id=df202fca1df4531368c1a7f9a77a7fbb&term_occur=2&term_src=Title:45:Subtitle:B:Chapter:XIII:Subchapter:C:Part:1329:Subpart:B:1329.17) must stipulate that the  [State](https://www.law.cornell.edu/definitions/index.php?width=840&height=800&iframe=true&def_id=371c05588f192b3c4b319ecfc99e35c5&term_occur=2&term_src=Title:45:Subtitle:B:Chapter:XIII:Subchapter:C:Part:1329:Subpart:B:1329.17) will provide IL services, directly and/or through grants and contracts, with Federal,  [State](https://www.law.cornell.edu/definitions/index.php?width=840&height=800&iframe=true&def_id=371c05588f192b3c4b319ecfc99e35c5&term_occur=3&term_src=Title:45:Subtitle:B:Chapter:XIII:Subchapter:C:Part:1329:Subpart:B:1329.17) or other funds, and must describe how and to whom those funds will be disbursed for this purpose.
2. Public Comment will be received prior to the creation of a SPIL Draft. Public Comment can include:
   1. SILC Council Business Meeting Public Comment
   2. SPIL Committee Public Comment
   3. Common Disability Agenda Events
   4. Public Forums
3. The public, must have an opportunity to comment on the State Plan prior to it’s submission and on any revisions to the approved State Plan.
   1. SILC will conduct a public meeting prior to the SPILs submission to ACL. This meeting with have sufficient noticed provided at least 30 days prior to the public meeting

**Process to verify CIL eligibility to sign SPIL.**

1. All current Michigan Centers for Independent Living are Part C Grant awardees.
2. Verification of CIL eligibility to sign SPIL.
   1. For purposes of this provision, if a legal entity that constitutes the “CIL” has multiple Part C grants considered as separate  [Centers](https://www.law.cornell.edu/definitions/index.php?width=840&height=800&iframe=true&def_id=611050d0b49fc316c3d44ad95108f34e&term_occur=2&term_src=Title:45:Subtitle:B:Chapter:XIII:Subchapter:C:Part:1329:Subpart:B:1329.17) for all other purposes, for SPIL signature purposes, it is only considered as one  [Center](https://www.law.cornell.edu/definitions/index.php?width=840&height=800&iframe=true&def_id=611050d0b49fc316c3d44ad95108f34e&term_occur=1&term_src=Title:45:Subtitle:B:Chapter:XIII:Subchapter:C:Part:1329:Subpart:B:1329.17).
      1. In Michigan, this provision will apply to the Disability Network Southwest Michigan and Disability Network Southwest Michigan Berrian/Cass. For most purposes, it is a multiple Part C grant awardee as separate CILs, however for SPIL signature purposes it will count as one center.
   2. All other Michigan CILs are authorized to sign the SPIL.
3. Should a new entity approach the SILC to request they be included as a CIL, the SILC will be required to determine if the entity is a private, non-profit, community based, cross-disability and non-residential entity, regardless of funding. This can only be determined to be a center if it is designed and operated within a local community by individuals with disabilities and provides an array of independent living services.