# **Office of Independent Living (OILP) Monitoring Overview**

The work our Independent Living (IL) grantees perform is critical to the lives of people with disabilities. Federal agencies are responsible for ensuring that taxpayer dollars are being spent in ways that program requirements mandate. In addition, the awarding agency is required to conduct onsite compliance reviews of 15% of Center for Independent Living (CIL) grantees (29 U.S.C. §796d–1(c). As part of this oversight responsibility, the Compliance and Outcome Monitoring Protocol (COMP) enables the government to monitor IL grantees with transparency and consistency. It also helps to identify training and technical assistance (T&TA) needs across the Independent Living (IL) network, improving program performance. Grantees use monitoring resources, such as the COMP tools, to understand program and fiscal requirements.

## Purpose of Using COMP

Grantees may be engaged in three different types of reviews over the course of a year – all of which are part of the COMP. The primary objectives of the COMP are to improve grantee performance by providing individualized technical assistance; and to evaluate compliance with the terms and conditions of their awards and with the standards and assurances outlined in the Rehabilitation Act as they pertain to:

* CILs in Sections 725 (29 U.S.C. §796f–4)
* Designated State Entitles (DSE) in Section 704(c)(4) (29 U.S.C. §796(c)(4)) and the [DSE standards and assurances](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwiI4qDUvZGNAxWHEFkFHU15OesQFnoECBYQAQ&url=https%3A%2F%2Facl.gov%2Fsites%2Fdefault%2Ffiles%2Fabout-acl%2F2020-06%2FSILC%2520Indicators%25209.2017.pdf&usg=AOvVaw2gM2t3tnWRpH814CEZ0Iwy&opi=89978449)
* Statewide Independent Living Councils (SILC) in Section 706(b) (29 U.S.C. §796d-1(b)); 45 CFR 1329.14 –16; and the [SILC standards and assurances and minimum indicators](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwiI4qDUvZGNAxWHEFkFHU15OesQFnoECBYQAQ&url=https%3A%2F%2Facl.gov%2Fsites%2Fdefault%2Ffiles%2Fabout-acl%2F2020-06%2FSILC%2520Indicators%25209.2017.pdf&usg=AOvVaw2gM2t3tnWRpH814CEZ0Iwy&opi=89978449)

## COMP Review Types

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| --- | --- | --- | --- |
|  | **Brief description** | **Scope** | **Sources/Triggers** |
| **Baseline Reviews** | Routine reviews of annual program and fiscal reporting that grantees submit. | All grantees reviewed by program/fiscal officer | --PPR--FFR--PMS drawdown reports |
| **Targeted Reviews** | Tailored to specific, identified, programmatic and/or fiscal areas. | Some grantees selected due to persistent issues/complaints. Reviewed by program and/or fiscal officer and non-federal reviewer. | --Complaint--Identified issue from baseline review |
| **Comprehensive Reviews** | Full (virtual or onsite) reviews of the grantee’s program, administrative, and fiscal operations. | Grantees selected due to high risk. Reviewed by program and fiscal officers and non-federal reviewer.  | --Persistent, recurring issues that remain unaddressed |

## Importance of Training & Technical Assistance (T&TA)

T&TA is a key part of OILP monitoring. It strengthens CILs, SILCs, and DSEs by providing resources to improve performance and maintain compliance with federal requirements. When issues are found, grantees are connected with T&TA to help resolve the issue, and if needed, develop corrective action plans (CAPs). The grantee ultimately is responsible for developing and completing the CAP that is approved by ACL.

## Penalties for Non-Compliance

When a grantee is suspected to have misused funds or falsified records, or fails to submit required reporting or documentation, one of several [penalties](https://www.ecfr.gov/current/title-2/section-200.339) could occur based on the level of risk:

* The grantee could be placed on a reimbursement restriction that requires submitting receipts for reimbursement.
* The grantee could be placed on a funding freeze or suspension until they are in compliance.
* The grantee could be required to return grant funds for unallowable costs.

If serious or repeated non-compliance occurs, and/or an issue is discovered that impacts a grantee's eligibility to receive federal funds (e.g., the CIL is no longer tax-exempt, the Executive Director is barred from receiving federal funding), then OILP may [terminate](https://www.ecfr.gov/current/title-2/section-200.340) the award after giving a 90-day notice and an opportunity for the grantee to submit a corrective action plan. If the plan is approved by the funding agency, the grantee retains the award on the condition that they will complete the approved CAP. If a plan is not approved by the funding agency, the award is terminated, and instructions for the grantee to appeal are provided.

## Appeals

Grantees may [appeal](https://www.ecfr.gov/current/title-45/section-1329.7) decisions related to award termination, fund return, or payment denial. Appeals must be submitted to the Administrator within 30 days of the Director’s decision. If the grantee disagrees with the Administrator’s final decision, they may appeal to the Health & Human Services Department Appeals Board (DAB) within 30 days of the Administrator’s final decision. Appeal instructions are included in the relevant notices.

## Tools

* Information on IL Appeals: <https://www.ecfr.gov/current/title-45/section-1329.7>
* COMP Guide:
* IL Monitoring Page: [IL COMP | ACL Administration for Community Living](https://acl.gov/programs/il-comp)
* IL regs regarding enforcement actions: <https://www.ecfr.gov/current/title-2/section-200.339>
* IL T&TA Center home page: [Services | University of Montana](https://www.umt.edu/rural-institute/programs/services/)

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