

**SUPPORTED  
DECISION-MAKING**

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Jeanie Rowe, Peer Mentor Intern and CVVYC Supported Decision-Making Youth Ambassador  
 Mary Shehan, Community Inclusion Coordinator, Michigan Developmental Disabilities Council




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*YOUR LIFE  
OUR CHOICE*

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**Outcomes for Today**

- A brief explanation of the differences between SD-M and Guardianship
- More in depth look at tools to address decision-making concerns
- See 'real life' examples on how to use the tools to support the life each young adult wants
- See where this information can show up on an IEP

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**Tash Connection, 2017**

**“We all make decisions-big and small-every day. We may take for granted that we have the right to exercise such autonomy over our lives and that we often have a network of trusted friends and allies with whom we consult to make the important decisions that affect our lives. This is not always the case for people with disabilities.”**

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**National Guardianship Association/2015**

**“Supported decision-making should be considered before guardianship, and the supported decision-making process should be incorporated as a part of the guardianship if guardianship is necessary.”**

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**What Does the Law Say About Guardianships...**

**Shall be utilized only as necessary to promote and protect the well-being of the individual...**

**And shall be designed to encourage the development of maximum self-reliance and autonomy in the individual.**

MCLA, Chapter 6



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### My Experience with Guardianship

- My first exposure to thinking about guardianship was when I was about to turn eighteen and it was mentioned at my IEP
- I had never spoken to my family about it before that
- It made me really start thinking about how I want to make decisions about my life as an adult
- Then I saw a presentation and told my teacher I wanted to get involved in advocacy.
- She put me in touch with Mary, and the rest is advocacy history




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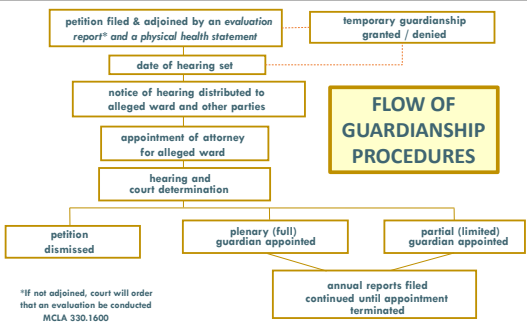
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### FLOW OF GUARDIANSHIP PROCEDURES




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### Types of Guardianships

#### Types of Guardianship

- Guardianship of the person
- Guardianship of the estate
- Conservatorship

#### Scope of Guardianship

- Plenary (full or total)
- Partial (limited)
- Combination of plenary and limited

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### How Do You Feel When Your Rights Are In Jeopardy

- Deciding where to live
- Consenting to or preventing any medical and health care or treatment
- Determining when and how to travel
- How you spend your money
- Making changes in educational or vocational programs
- Determining if and with whom you can date
- What personal property you can own
- If and where, you worship

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### What is Supported Decision-Making anyway?

We all need supporters, helpers and consultants in our lives in order to make good decisions, whether we have a disability or not.

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### Supported Decision-Making

- *Substituted* decision-making = guardianship, which limits rights, choices and freedom
- *Supported* decision-making = a process that enables people with disabilities to retain and exercise their rights and make and communicate choices in regard to personal and legal matters

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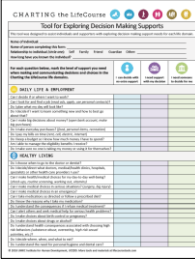
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### Tools to Start the SDM Conversation

**Work you can do on your own**







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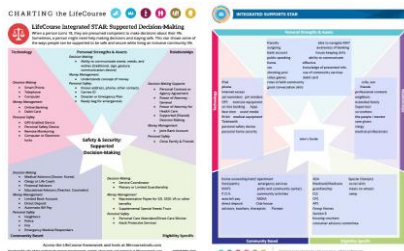
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### Tools to Start the SDM Conversation

**Work you can do on your own**





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### What are the main concerns people express?

- **Concerns involving:**
- **Education**
- **Safety**
- **Medical Decisions**
- **Finances**
- **Communication**
- **Sexuality**
- **Legal**

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### When the Main Concerns are Educational Decisions

- Like **ALL** people, it is likely that young people with disabilities will at some point want to emancipate themselves from their parents.
- Like **ALL** young adults, youth with disabilities are learning to weigh options and make choices that lead them to the adult life they want.
- Like **ALL** young adults, youth with disabilities need time to take over successively more responsibilities

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### Release of Information Forms

When signed by an adult with a disability, ROI forms authorize parents (and other allies) access to student records, medical information and legal proceedings. This helps to ensure quality and continuity of services and care and enhances the supported decision-making process.

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### Individuals with Disabilities Education Act (IDEA)

**§300.320(b) Transition services.** Beginning not later than the first IEP to be in effect when the child turns 16, or younger if determined appropriate by the IEP Team, and updated annually, thereafter, the IEP must include—

- Appropriate measurable postsecondary goals based upon age appropriate, transition assessments related to training, education, employment, and, where appropriate, independent living skills; and
- (2) The transition services (including courses of study) needed to assist the child in reaching those goals.

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### Meaningful Connections

Clear and meaningful connections must be established between what the student is learning in high school and what he or she will be doing after leaving high school.

- Postsecondary goals are outcomes. They are age-appropriate and measurable.
- Align annual goals with adult outcomes (postsecondary goals)
- Transition Services are activities. They assist the student in reaching the goal.

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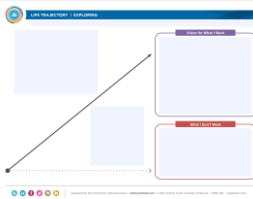
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### Tool: Life Trajectory: Exploring



What is your vision for the life you want?  
What do you not want?  
Share with other members of your IEP team.  
Think about if goals or activities take you to the life you want or the life you don't want.

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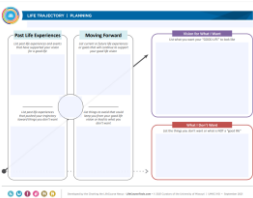
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### Tool: Life Trajectory: Planning



The Trajectory Planning Tool highlights your past life experiences that are leading or moving you away from your vision and then provides space for current goals and activities to focus on or avoid moving forward.

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### When the Main Concern are Safety Decisions

- Like **ALL** people, it is likely that young people with disabilities will at some point take risks., there a certain dignity that comes with that.
- Like **ALL** young adults, youth with disabilities are learning to weigh options about levels of risk.
- Like **ALL** young adults, youth with disabilities need time to experience low risks, while family is still around to support and can help put in place future needs.

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### Assistive Technology (AT)

AT can make decision-making easier and help people live more interdependently in their communities.

- A few examples:
- Medication management devices
  - GPS technology
  - Virtual assistants, like Alexa
  - Remote monitoring and control of environment

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### When the Main Concern are Medical Decisions

- Like **ALL** people, it is likely that young people with disabilities will experience the need for medical care at some point in their lives.
- Like **ALL** young adults, youth with disabilities should learn to seek accurate information and weigh options
- Like **ALL** young adults, youth with disabilities need time to take on successively more responsibilities and when needed, have support to make these decisions

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### Medical Power of Attorney

A medical power of attorney is a legal document in which you appoint an agent to make health care decisions on your behalf when you cannot make them for yourself.

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### Patient Advocates

A patient advocate is the name given to a health care power of attorney in Michigan. Other names include health care power of attorney, health care proxy and durable power of attorney for health care.

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### Advanced Directives

A Michigan advance directive is a document that lets a person select their end-of-life treatment options in the chance they cannot speak for themselves. This includes an agent that can be nominated to make health care decisions on the person's behalf in addition to treatment options and organ donation selections.

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### When the Main Concern are Financial Decisions

- Like ALL people, it is likely that young people with disabilities will at some point have income, either through public benefits or employment.
- Like ALL young adults, youth with disabilities should seek accurate information, weigh options and make decision about their money.
- Like ALL young adults, youth with disabilities need time to learn and when needed, have support to make these decisions

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### Other Financial Supports

- Joint accounts
- Bill-paying services
- Automatic payment withdrawals
- Fiscal intermediaries

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### Representative Payees

A representative payee is a person, agency, organization or institution the Social Security Administration selects to manage your benefits when it determines that you are unable to do so yourself or direct others to do it for you.

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### Trusts and Other Savings Accounts

- Special Needs Trusts  
Individual  
Pooled
- ABLE Accounts



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### The Intersection of Employment and Public Benefits

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### When the Main Concern is Their Ability to Communicate

- Like ALL people, young people with disabilities will communicate, though that may be in ways different than their neurotypical peers.
- Like ALL young adults, youth with disabilities should learn to communicate with other
- Families need to assure that everyone involved in their loved one's life, understand their communication style.

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### Types of Communication

There are many different ways we share information with one another. For example, you might use verbal communication when sharing a presentation with a group. You might use written communication when applying for a job or sending an email. Here's a more in-depth look at the four main categories of communication.

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### When the Main Concern is Sexuality

- **ALL** people, are sexual human beings.
- It is even more important for youth with disabilities to learn about sexuality because they are abuse at much higher rates.
- There many resources available to support families in explaining complex ideas like consent to youth with disabilities.

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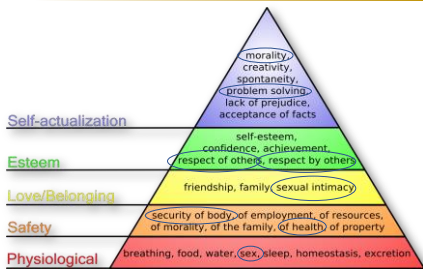
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### We are all human beings, so we are all sexual beings




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### Alarming Statistics

People with intellectual disabilities are sexually assaulted at a rate more than seven times higher than people without disabilities

(Department of Justice as cited by NPR 2018)

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### Alarming Statistics



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### Elevatus Products and Workshops

- Becoming a Sexuality Educator
- 3-day Training
- Online workshops and trainings
- Trauma informed
- Evidence based
- Co-lead by Peer Educators



For more information visit: [www.elevatustraining.com](http://www.elevatustraining.com)

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### Comprehensive Curriculum



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|--|--|
| 1. Getting Started                           | 12. Has Your Relationship Gone Bad?          |
| 2. Gender Identity and Gender Expression     | 13. Body Parts                               |
| 3. Different types of Relationships          | 14. Caring for Your Body                     |
| 4. Public and Private                        | 15. Sexual feelings, Attraction and Acts     |
| 5. Friendship                                | 16. Communicating About Sex                  |
| 6. Communication                             | 17. Decision-Making About Sex                |
| 7. Decision-Making                           | 18. Challenges or Things That Can Go Wrong   |
| 8. Moving from Friend to Relationship        | 19. Do You Want to Have Child?               |
| 9. Internet, Social Media and Communications | 20. Avoiding Pregnancy                       |
| 10. Many roads to Relationships              | 21. Getting a Sexually Transmitted Infection |
| 11. Being in a Relationship                  | 22. Final Class                              |

Pre-and Post Evaluation      Free to participants      Participant should attend all 22 weeks

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### When the Main Concern is Legal Matters

- **ALL** people, have to deal with legal matter throughout their lives
- It is even more important for youth with disabilities to learn about decision making in legal matter like signing a lease, a PCP or an IEP
- There many resources available to support families in explaining complex ideas. Contracts can and should be explained in plain language.

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### Power of Attorney

Power of Attorney is a legal document that can be used to give another person the authority to make financial transactions, enter into contracts, make legal decisions and sign legal documents on your behalf.

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### Resources

- **SSA Resources**  
<https://www.ssa.gov/benefits/disability/>  
<https://www.ssa.gov/redbook/>  
<https://www.ssa.gov/bavea/>
- **Work Incentives Planning and Assistance**  
<https://miwipa.org>
- **MiABLE**  
[miable.org](http://miable.org)
- **State Bar of Michigan**  
<https://www.seekbeek.com/SBM>
- **The Arc US**  
[https://thearc.org/find-resources/?search\\_resource=&audience=SearchAudience&type=SearchType&topic=family\\_support\\_and\\_future\\_planning](https://thearc.org/find-resources/?search_resource=&audience=SearchAudience&type=SearchType&topic=family_support_and_future_planning)




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### Resources

- **Michigan Alliance for Families**  
<https://www.michiganallianceforfamilies.org/transition/>
- **Michigan Developmental Disabilities Council**  
<http://www.Michigan.gov/ddcouncil>
- **Special Needs Trust Information**  
<https://www.nolo.com/legal-encyclopedia/special-needs-trusts-30315.html>
- **Joint Banking Information**  
<https://finance.zacks.com/jwt-restrictions-joint-bank-account-11439.html>
- **Power of Attorney Information**  
<https://michiganlegalhelp.org/>
- **WIPA Projects (See Handout)**

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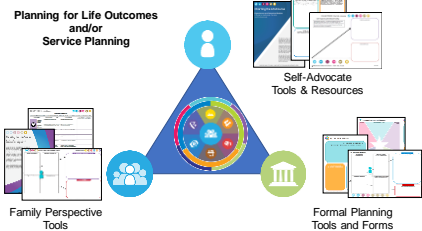
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[www.lifecoursetools.com](http://www.lifecoursetools.com)

**Planning for Life Outcomes  
and/or  
Service Planning**



Self-Advocate  
Tools & Resources

Family Perspective  
Tools

Formal Planning  
Tools and Forms

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### Questions

Thank you for your time and attention!  
What questions do you have?



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### Presenter Contact Information

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We are here to support you!

-  @MichiganAllianceForFamilies
-  @miAlliance
-  @michiganallianceforfamilies
-  /MichiganAlliance



For more information visit:  
<https://www.michiganallianceforfamilies.org>

Call: 800-552-4821  
En Español 313-217-1060  
Statewide Email: [info@michiganallianceforfamilies.org](mailto:info@michiganallianceforfamilies.org)

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## Michigan Alliance for Families

Michigan Alliance for Families is an IDEA Grant Funded Initiative of the Michigan Department of Education, Office of Special Education, and Michigan's federal Parent-Training and Information Center (PTIC) funded by U.S. Department of Education, Office of Special Education Programs (OSEP).

[www.michiganallianceforfamilies.org](http://www.michiganallianceforfamilies.org)  
1-800-552-4821  
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