

2

### **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
- Practice examples of how to use the tools to support the life each student wants
- See where this information can show up on an IEP or a PCP

### Disability Scoop, 8.26.21



Young adults with disabilities and their parents argue that health care officials, regional centers, and school districts need to foster more awareness about what it's like for youth with disabilities to transition to adulthood. Far too many families don't know what to expect, they said, or how to advocate for the services they need.

4

# 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.
  - ~Mental Health Code-Chapter 6



5

### Office of Special Education Training



- Michigan department of Education's IEP Boot Camp
- The student is presumed to be competent to act on their own behalf
- The district is presumed to have been, and is continuing to, educate the student to live a self-determined life

# Office of Special Education Training Continued Age of Majority Self-determination goes hand and hand with Supported Decision-Making School personnel should NOT try to persuade the parents to obtain legal guardianship over the student

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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 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 that goal



8



### One Adult's Experience: Part 1

- As a child, I lived with my parents, and sister and got the usual school supports
- I was placed in a separate Special Education building in Farmington though, I expressed that I wanted to graduate from the same school as my sister.
- In my junior year I attended Walled Lake Western
- I graduated with a high school diploma at age seventeen, then went to Oakland Community College
- I got an Associates Degree in Liberal Arts and an Associates Degree in Business and Management



### One Adult's Experience: Part 2

- I was an autonomous, decision-making adult at that time and lived life as I wanted
- After my parents, and my sister passed away people thought I needed a guardian
- He sent someone over to the group home where I lived to interview me person said I did not need a guardian, but I could use help with finances
- Someone, I never did find out who, petitioned for me to get a public guardian and the court hearing happened without me
- I met them when they called me an announced themselves as my new guardian. I was told it was to help me settle my mom's estate
- Around this time, I started an Avon business, without telling anyone and I handled all that money

10



### One Adult's Experience: Part 3

- My social worker found out, and then I had to tell my guardian
- One of the ladies I met through my Avon business said she thought I didn't need a guardian, and she knew a judge
- So, she helped me meet the judge who agreed that I didn't need a guardian
- Now, I just have a person that helps me with finances-I am free again to live my life as I choose

My final thoughts are: Don't just assume that every person with a disability needs a guardian. Get to know the person before you make a judgement. With an active circle of supporters, community resources, and assistive technology many people with disabilities can live safely in the communities they chose.

11

### How Would You Feel If Your Decision-Making Rights Were 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 <u>programs</u>
- Determining if and whom you can <u>date</u>
- What personal <u>property</u> you can own
- If and where, you worship



### Kinds of choices students need to make

- Who they want at their IEP
- Telling what they need in terms of supports
- Telling their supporters when they like or, don't like something



13

# Using your voice where it matters - examples:

- Organizing their own meetings
- Being included on making medical decisions
- Making decisions about money with the help they need



14

## **SELF-DETERMINATION VIDEO**

https://vimeo.com/256473639

## Person-centered planning is part self-determination

- Everything is individualized
- There is a requirement that PCP's can be adjusted when it is needed
- If a person has a PCP, and thinks it needs to be changed, they can request a review



16

## Adult choices to make

- Choose who they want at a PCP
- Not be pressured to invite someone they do not want there
- Telling what they need in terms of supports
- Telling people when they like or, don't like something



17

# How is supported decision-making connected to self-determination?

- When someone is under guardianship, there is another person making decision for them
- This is the opposite of being self-determined
- Supported decision-making is when a person has a circle of supporters who help them make difficult decisions
- It helps to keep the decision-making power in the hands of the person but, they get support when they need it



# What is Supported Decision-Making anyway?



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

19

### **Tools For Your SDM Toolkit**



- Every toolkit needs to be tailored to that person's life
- It should reflect their culture, race and religion as well as those they choose for their circle of supporters
- It should reflect the person's skills talents and needs
- Above all else, it should reflect that person's trajectory for their own life

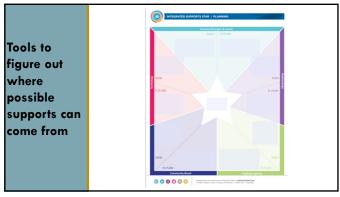
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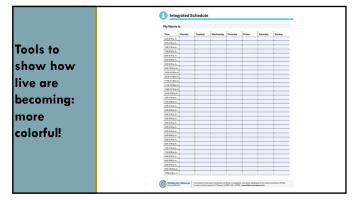
# Planning for Life Outcomes and/or Service Planning Service Planning Family Perspective Tools & Resources Formal Planning Tools and Forms

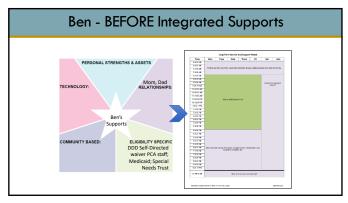


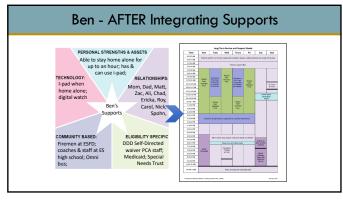
s to	CARING ABOUT	Who serves in this role now?	Looking Ahead	Next Steps
	Shares Love, Affection and Trust			
rmine	Spends Time and Creates Memories Together			
's in their	Knows about Personal Interest, Traditions, Cultures			
e, or who	CARING FOR	Who serves in this role now?	Looking Ahead	Next Steps
ht need	Supports Day-to-Day Needs			
e added	Ensures Material and Financial Needs are Met			
	Connects to Meaningful Relationships and Roles			
	Advocates and Supports			

		Tool for Exploring Decision Making Supports			
	This tool was designed to assist individuals and euppowers with exploring decision making support needs for each life do				
Tools to	Name of inchelous: Name of person completing this form: Relationship to inshirted places and Serie Family Friend Series you know that property to the admissible.	Name of person completing this forms  Relationship to individual (chair angl. Self. Family Friend Guardian Other.			
igure out	For each question below, mark the level of support you need when making and communicating decisions and choices in the Charting the LifeCourse life domains.	(Caracteristics)	9	Company of the Compan	
19010 001	DAILY LIFE & EMPLOYMENT				
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vhere	Can 1 look for and find a pile treat als, spale, you personn contacts?				
vnere	Do liptan what my day will look like?				
711010	Do I doode if I want to learn comething new and how to best go about that?				
xactly they	Can Irreducing decisions about money? (appendant account, make ing purchases)				
xactiv tnev	Do Limpile everyday purchases? (floor), personal down, recreation)				
Augus, moy	Do t pay my bills on time (seet, electric; selected)	_		_	
	On these a budget so throw here much money thave to upon d?  And while to manage the displicits benefits treating?				
	On I make our notions in taking my money or using it for thereselves?	_		_	
eed support	MEALTHY LIVING		_	_	
	On I choose when to go to the doctor or dentite!			_	
	Do I decide/direct what doctors, modes/health circo, hespitals.				
	specialists or other health-care providers Luce?		10		
	Can hyoke health/hedical choices for my day-to-day well-being?				
	(shock-ups, routine acreening, working out, villamins)				
	Can I make medical chokes in serious situations his organy, Big injury).				
	Can i-make medical choices in an emergency?				
	Can I take medications as directed or follow a prescribed diet?				
	Do I know the masons why I take my medication?				
	So I understand the consequences if I refuse medical treatment?  Can I alart others and seek medical help for serious health problems?				
	Do I make chooses about high control or pregnancy?			_	
	Do I make choices about them control or programly?				
	go i make chicken spool drugs or accommon to i understand health consequences associated with choosing high risk behaviors (substance abuse, oversetting, high-risk senset exhibits, etc.).				
	So I decide afters, when, and what to eat?				
	So Lundentand the need for personal hygbens and dental care?				









### What are the main concerns people express?

### Concerns involving:

- 1. Education
- 2. Safety
- 3. Medical Decisions
- 4. Finances
- 5. Communication
- 6. Sexuality
- 7. Legal



29

### **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.

	Assistive Technology (AT)
	<u> </u>
í	AT can make decision-making easier and help people live more interdependently in their communities.
	A few examples:
	<ul> <li>Medication management devices</li> <li>GPS technology</li> </ul>
	Virtual assistants, like Alexa     Remote monitoring and control of environment
31	
	Legal Power of Attorney and Springing Power of Attorney
	,
	A power of attorney is a legal document in which you appoint an agent to make legal decisions on your
	behalf.
32	
) _	
	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

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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.

34

### **Other Financial Supports**

- Joint accounts
- \*Bill-paying services
- \*Automatic payment withdrawals
- •Fiscal intermediaries

35

### **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.

### **Trusts and Other Savings Accounts**

Special Needs Trusts
 Individual
 Pooled



ABLE Accounts

37

### **Types of Communication**

There are many ways we share information with one another. For some people with IDD, they share information in no traditional ways. They are communicating, we just need to get better at listening with our whole selves to what they are saying.

38

# 1. Getting Started 2. Gender Identity and Gender Expression 3. Different types of Relationships 4. Public and Private 5. Friendship 6. Communication 7. Decision-Making About Sex 7. Decision-

### Resources

Michigan Developmental Disabilities Council

http://www.Michigan.gov/ddcouncil

https://www.michigan.gov/mdhhs/keep-mi-

healthy/mentalhealth/developmentaldisability/supported-decision-making/sdm-tool

Michigan Alliance for Families

https://www.michiganallianceforfamilies.org/transition/

**Special Needs Trust Information** 

https://www.nolo.com/legal-encyclopedia/special-needs-trusts-30315.html

Joint Banking Information

 $\underline{\text{https://finance.zacks.com/put-restrictions-joint-bank-account-11439.html}}$ 

Power of Attorney Information https://michiganlegalhelp.org/

40

### Resources

SSA Resources

https://www.ssa.gov/benefits/disability/ https://www.ssa.gov/redbook/ https://www.ssa.gov/payee/

Work Incentives Planning and Assistance

https://miwipa.org

MiABLE

miable.org

State Bar of Michigan

https://www.zeekbeek.com/SBM

https://thearc.org/find-resources/?search resource=&audience=searchAudience&type=searchtype&topic=family-support-and-

future-planning

41

### The Wrap-up

- Help your students develop strong advocacy skills
- Promote person centeredness in all you do; each student is unique
- Teach decision-making throughout the student's life
- Tie people with IDD back into the ALL, be connected to your
- Don't freeze people in time: we all learn and grow throughout life
- Recognize what guardianship can and, can not do, it is not the only answer

### **Presenter Contact Information**



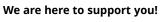


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43



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For more information visit www.michiganallianceforfamilies.org

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44

# **Michigan Alliance for Families**



Michigan Alliance for Families is an IDEA Grant Funded Initiative of the Michigan Department of Education, Office of Special Education (MDE-OSE); the Michigan Department of Lifelong Education, Advancement, and Potential (MILEAP); and Michigan's Federal Parent-Training and Information Center (PTIC) funded by the U.S. Department of Education, Office of Special Education Programs(OSEP).

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