



Supported Decision-Making Considerations for Transition and Employment

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History of SDM




- UN Convention on the Rights of Persons with Disabilities (CRPD), esp. Article 12
- Legal capacity as a "right"
- Meaningful Involvement by the Person needing support in Decision-Making
- Guardianship as Most Restrictive

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What to KNOW about Supported Decision-Making




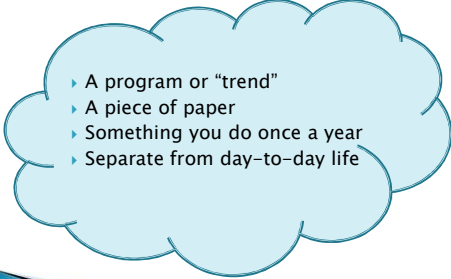
- Decision-making is the process of people exercising control in their life.
- Getting access to whatever help is needed is the process of being supported
- Help may look different for specific people or for specific types of decisions
- People helping should ALWAYS find ways to honor the person's expressed opinion and preferences (even guardians!)

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SDM is not....

- ▶ A program or "trend"
- ▶ A piece of paper
- ▶ Something you do once a year
- ▶ Separate from day-to-day life



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So, what can we do???



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DECISIONS



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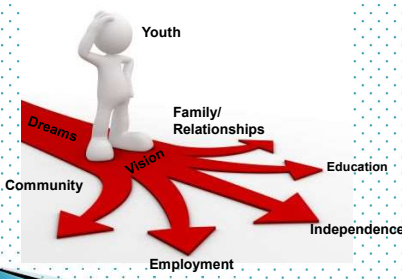
Building decision-making skills

- ▶ Identify all areas where person can make regular decisions
- ▶ Clarify the person's priorities and values that will guide decisions
- ▶ Plan to manage emotions that can derail decision-making (happy/sad/fear/worry, etc.)
- ▶ Think about who is the best person to help for different decisions



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Transition-Planning



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Self-Determination

Life control — People's ability and opportunity to be actors in their lives, rather than being acted upon

Studies have shown people with greater self-determination are:

- More independent
- More integrated into their communities
- Healthier
- Better able to recognize and resist abuse



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Where to start...





- ▶ **Early.... 14, 13, 12 or earlier!!!**
- ▶ Make IEP team meetings **student-friendly**
- ▶ Support the student in **leading or participating** in his or her own IEP meeting
- ▶ Slow the conversation down - **No rushing decisions**



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Focus on the Elements of Informed Decision-Making



- ▶ Access to relevant information
 - In language and manner that is understandable
 - With opportunity to ask questions
 - With adequate support for exploring options
- ▶ Opportunity to weigh options consider potential outcomes
- ▶ Clear communication of choice and preference



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Approaching Age 18

- ▶ Talk with youth and families about decision-making support options
- ▶ Focus on progress toward post-school goals
- ▶ Emphasize real life experience
- ▶ Have students take a greater role in the meetings
- ▶ Re-visit preferences frequently



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Some Tips

- ▶ **Use IEP Goals**
 - Include self-determination, employment, independent living
- ▶ **Reframe IEP Meetings** to be "Student Friendly"
 - Encourage student participation and leadership
- ▶ **Use Evaluations**
 - Communication, independent living, employment, etc...
- ▶ **Use "Transition Services"**
 - Transition is its own plan!



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MORE Transition Tips!


- ▶ Make sure **all the right agencies are at the IEP table**, including:
- ▶ Remember **"transition services" are very broad**
- ▶ **Think creatively**
- ▶ **Don't wait!!!!**



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Tools to Advance Supported Decision-Making


- ▶ **Written Documents**
 - Release of Information forms
 - Other Written Plans
- ▶ **Written Agreements**
 - Model Forms
 - State Statutory SDMAs
- ▶ **SDM Guides**
 - Example: The SC SDM Project, "Stop, Look, and Listen" Tool
 - <http://scsupporteddecisionmaking.org/resources/>
- ▶ **U.S. Federal Law**
 - Americans with Disabilities Act
 - Rehabilitation Act
 - Individuals with Disabilities Education Act



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Other Options and Resources

- ▶ Powers of Attorney
 - Healthcare
 - Education
 - Financial
 - Other
- ▶ Wills
- ▶ Trusts
- ▶ **Representative Payee**
- ▶ Letters of Intent
- ▶ Financial Planning
- ▶ Tax Planning
- ▶ And More!



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What about Guardianship?



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https://www.americanbar.org/groups/law_aging/resources/guardianship_law_practice/practical_tool/



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Before & Within Guardianship



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

National Guardianship Association, "Position Statement on Guardianship, Surrogate Decision Making, and Supported Decision Making" (2015)



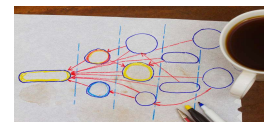
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Personal Decision Making


- ▶ "Good" decision making is **part science and part art**
- ▶ **Culture and personal values** are important variables
- ▶ **Everyone** can **learn** to be a better **decision-maker**



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Improving Decision Making

Poor decisions often:	Better decisions often:
<ul style="list-style-type: none">Focus on limited aspects of a problem or situationConsider only immediate benefitsOversimplify issues i.e., good/bad, right/wrongAre influenced by emotional factorsAre reactive	<ul style="list-style-type: none">Reflect an understanding of different perspectivesFocus on both short and long range goalsLook at multiple potential outcomesInclude a process for analysis and thinkingUse tools and resources for making decisions



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Family Members need support too!

- Understanding the connection between decision-making and life experience
- Developing a vision for the future
- Having a plan...don't let them wait until an important decision must be made
- Understanding all options for decision support



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Healthy Adult Relationships



Respect and boundaries
Different opinions and world views
Change over time
In the present



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Supports for Decision-Making

- ▶ **Opportunities** to make decisions
- ▶ **Information** in an accessible form
- ▶ Help exploring **options**
- ▶ Thinking through **potential outcomes**
- ▶ Assistance with **communicating** the decision
- ▶ Support when talking with **others**

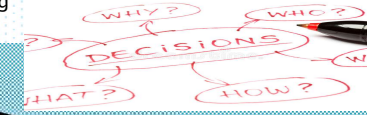


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Being a "good" supporter

- ▶ Customize support to the person
- ▶ Meet as many times as needed
- ▶ Ask questions to facilitate exploration
- ▶ Summarize what you hear to test for clarity
- ▶ Resist the urge to share personal experience
- ▶ Identify opportunities to practice decision-making



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Looking Nationally...

- U.S. Administration for Community Living
- National Resource Center for Supported Decision-Making (2014 to present)
- National Guardianship Association (2016)
- Social Security Advisory Board (2016)
- AAIDD & The Arc of the U.S. (2016)
- American Bar Association (2016 & 2017)
- Uniform Law Commission (2017)
- U.S. Dept. of Education OSERS (2017, 2020)
- National Council on Disability (2018 & 2019)
- U.S. Senate Special Committee on Aging (2018)
- Alternatives to Guardianship Youth Resource Center (2020 -2025)



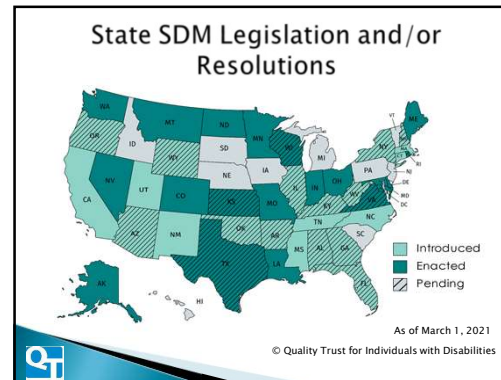

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U.S. Legislative Update

- ▶ Uniform Guardianship, Conservatorship and Other Protective Arrangements Act (UGCOPAA)
- ▶ Supported Decision-Making Agreement laws
- ▶ Supported decision-making as an alternative to guardianship
- ▶ More state law references to SDM in education, healthcare decision-making, organ donation, and more





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More U.S. State Trends in SDM



- ▶ **NRC-SDM State Grant Program**
 - 18 projects so far
 - DC, DE, FL, GA, IN, ME, MN, MS, NC, NV, NY, OR, SC, TN, WI
- ▶ **Court Orders and Decisions**
 - Examples: DC, FL, IN, KY, MA, ME, MN, NV, NY, PA, VA, VT, and more!
- ▶ **SDM Pilots**
 - Examples: AK, CA, FL GA, IN, KY, MA, ME, NY, VT, TX, and more!

Visit <http://www.supporteddecisionmaking.org/States>




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www.supporteddecisionmaking.org



- ▶ Resources state by state
- ▶ References useful by topic
- ▶ Links to tools and projects



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Contact Us.....



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<https://www.facebook.com/QualityTrust>

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