



Supported Decision-Making

Exploring Alternatives to Guardianship



Willamette

EDUCATION SERVICE DISTRICT

Success, Achievement, Together...for All Students

Supported Decision-Making: Exploring Alternatives to Guardianship

Introductory PowerPoint*

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EES



Oregon HB 2105

Effective January 1, 2022, school districts are required to perform the following:

- Provide information , training, and resources to school personnel on supported decision-making and alternatives to guardianship
- Share information with students and families regarding supported decision-making as a less restrictive alternative to guardianship (at/during secondary IEP meetings, per discussions regarding post-secondary goals, transition services, transfer of rights, etc.)
- Provide resources for students and families regarding supported decision-making and how others supporting the student can remain engaged in secondary transition leading to post-school outcomes



Supported Decision-Making

Supported decision making (SDM) is a tool that allows people with disabilities to retain their decision-making capacity by choosing supporters to help them make choices. A person using SDM selects trusted advisors, such as friends, family members, or professionals, to serve as supporters. The supporters agree to help the person with a disability understand, consider, and communicate decisions, giving the person with a disability the tools to make her own, informed, decisions.

Guardianship laws allow other people to make life choices for a person with a disability. Supported decision-making laws **allow people with disabilities to make their own choices with support.**

Google/ACLU



Continuum of Support

(perspectives or bias regarding an individual's capacity, capability, and related support needs)

“Incapacity”

(minimal view of capabilities)

“Capacity”

(greater view of capabilities)



Guardianship



Supported
Decision-Making

Decision-Making

Less Support for Decisions

More Support for Decisions

Personal Autonomy

Less Opportunity

More Opportunity

Self-Determination

Less Opportunity

More Opportunity



Less Restrictive Options

- Representative Payee
- Appointed Health Care Advocate
- Conservator
- Advanced Directives
- Power of Attorney
- Special Needs Trust
- Joint or Trust Account
- ABLE Accounts
- Release of Information



Sources of Information

The information contained in this PowerPoint is derived from the following:

- Oregon HB 2105 (effective January 1, 2022)
- [HB 2105 - Oregon House \(2021 Regular Session\) - Open States](#)
- The Arc of Oregon (Supported Decision-Making, Train-the-Trainer, Instructor Manual, 2020)
- [Supported Decision-Making News | Supported Decision Making](#)
- [LifeCourse Nexus – Exchange Knowledge | Build Capacity | Engage Collaboratively \(lifecoursetools.com\)](#)



Sample Handouts

The Arc of Oregon Infographics

- [It's Your Decision! v4 \(thearcoregon.org\)](http://thearcoregon.org)
- [Ready or Not v2 \(thearcoregon.org\)](http://thearcoregon.org)

Top Seven Things to Know about Supported Decision-Making

- [7-Things-to-Know-about-SDM.pdf](#)
- [Top-7-THINGS-SDM-IDR-Branding-SPANISH.pdf](#)

Supported Decision-Making

- [SDM-Infographic-30OCT19](#)



Sample References

Charlton, J. I. (2000). *Nothing about us without us: Disability oppression and empowerment*. Los Angeles, CA: University of California Press.

Gullo, G. L., Capatosto, K. & Staats, C. (2019). *Implicit bias in schools: A practitioner's guide*. Thousand Oaks, CA: Sage Publications, Inc.

Shogren, K. A., Wehmayer, M. L., Martinis, J. & Blanck, P. (2019). *Supported decision-making: Theory, research, and proactive practice to enhance self-determination and quality of life*. New York, NY: Cambridge University Press.

