

Supported Decision Making: Preparing Our Youth for the Future

February 2023

Information Session



RAMSEY COUNTY

Social Services

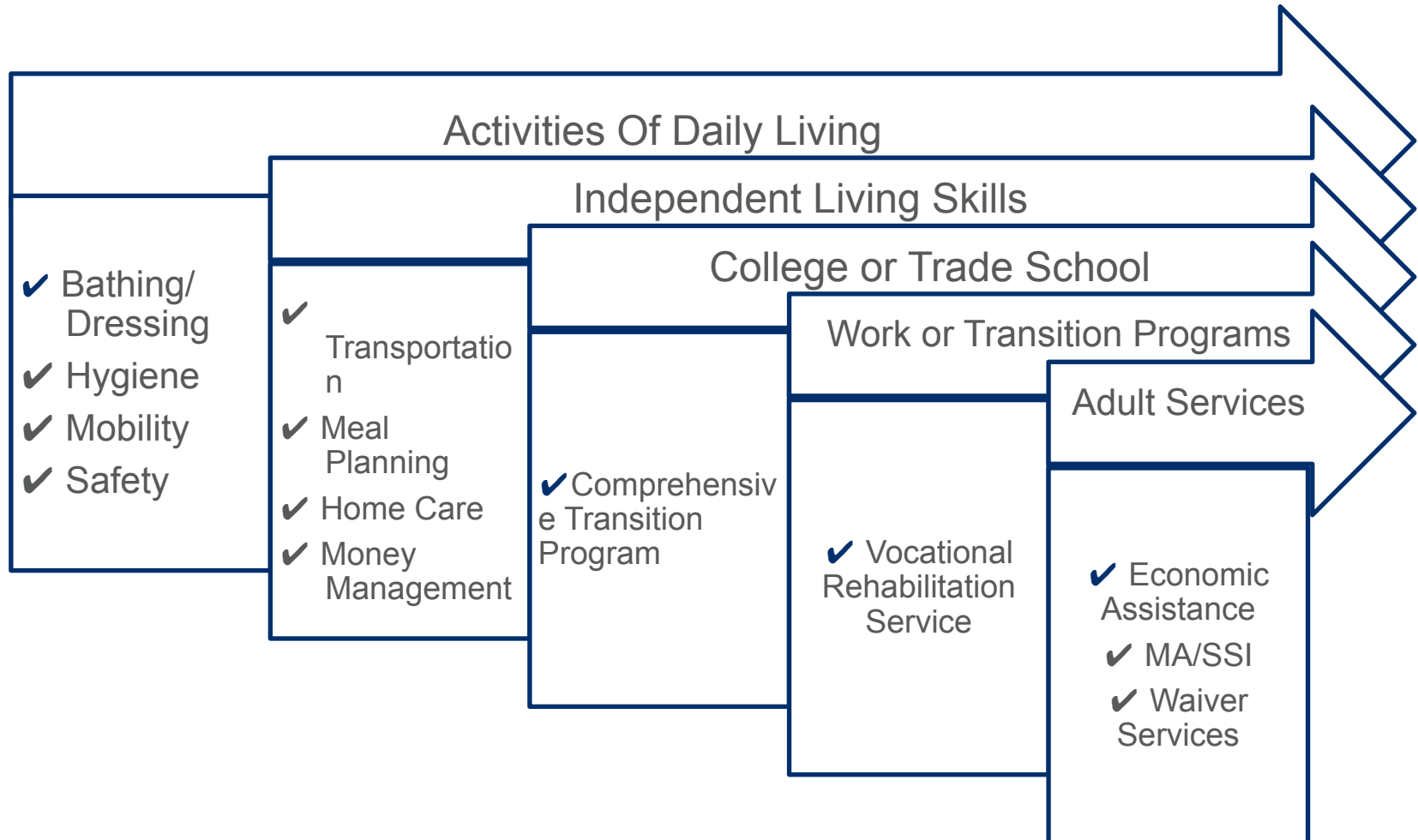
- Preparing for Age of Majority (18yrs. Old) for youth on IEP's
- Supported Decision-Making
- Less Restrictive Options than Guardianship
- Resources

The Rules: Individuals with Disabilities Education Improvement Act (IDEA, 2004)

When a youth on an IEP turns 17yrs. old the schools must inform families/ supporters that they gain the right to make their own education decisions at age 18yrs old. This is called the “Transfer of Rights.”



Abilities & Skill Development Focus



Recognizing the Challenges

- Some youth have a greater need of support prompting the discussion of guardianship.
- Special Education personnel may not have information or resources to introduce options other than guardianship or know the long-term consequences of guardianship
- Families do not have information or access to services that can help support them.
- **Strongest:** Societal belief that a person with a disability requires a person to be legally responsible for making their decisions.

Impact of Guardianship



Universally
accepted
form of
authority

Lose their
legal and
human
rights



Supported Decision Making

- Help from others to understand, make, and communicate choices
- Makes decisions *with* the person not *for* the person
- Maintains dignity and respect
- Cheaper



How does supported decision making work?

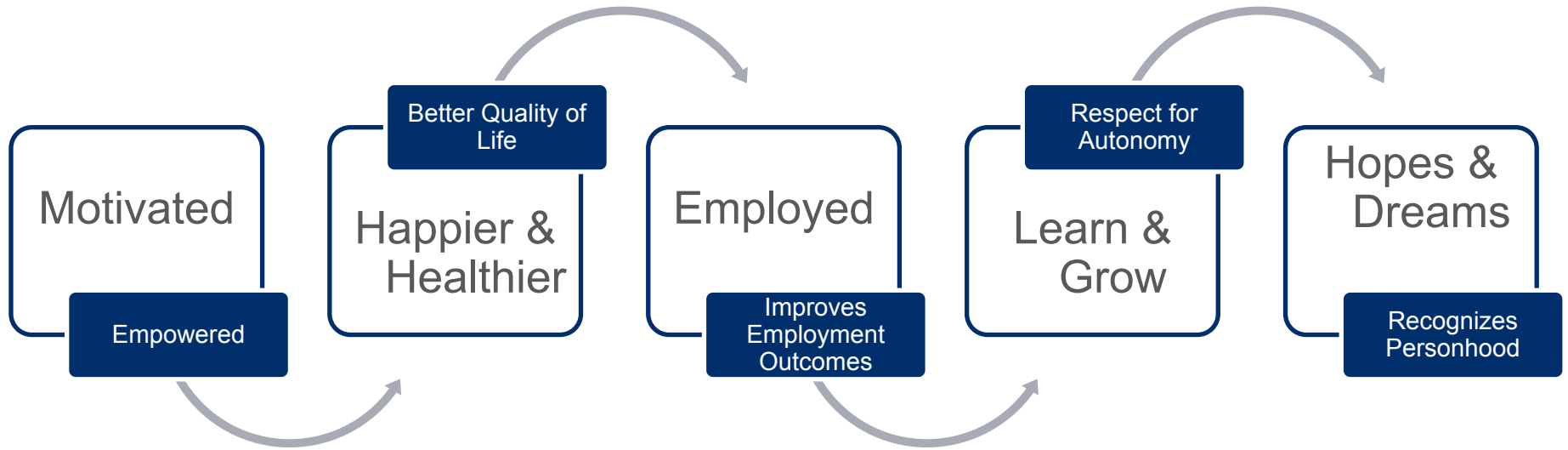
- Finding tools and supports to help a person with a disability understand, make, and communicate their own choices
- Plain language materials or information
- Extra time to discuss choices
- Creating lists of pros and cons
- Role-playing activities to help the person understand choices
- Going to important appointments to take notes/discuss options

Tools for Supported Decision-Making



- Power of Attorney
- Health Care Directive
- Financial / Benefits Management
- Waiver Services
- Case Management
- Civil Commitment

Benefits of Supported Decision-Making



Changes in Guardianship Law



- Guardianship is the last option.
 - Less restrictive alternatives need to be tried and failed to consider a person “incapacitated”
 - Time Limited
 - Good Reason

Resources

PACER CENTER

<https://www.pacer.org/students/>

Volunteers of America

<https://www.voamnwi.org/guardianship-supported-decision-making>

ARC Minnesota

<https://arcminnesota.org/resource/arc-guide-to-guardianship/>

Minnesota Guardianship Manual

<https://www.mncourts.gov/getforms.aspx?c=21#subcat47>

Disability HUB MN-Transition to adulthood

<https://disabilityhubmn.org/for-families/transition-to-adulthood/resources/>

Questions?