

Exploring Supported Decision Making for ETRs

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VIRGINIA BOARD FOR PEOPLE WITH DISABILITIES, 1100 BANK STREET, 7TH FLOOR, RICHMOND, VA 23219, (800) 846-4464, OR VISIT THE BOARD'S [WEBSITE](#).



Overview

- ▶ Basics Supported Decision Making
 - ▶ What is SDM?
 - ▶ Usage with other supports
 - ▶ Why do it?
- ▶ The “What Ifs”
- ▶ Putting SDM into action
- ▶ Examples of SDM in practice
- ▶ SDM Resources



What is Supported Decision Making?

- ▶ At its most basic, Supported Decision Making is having people you trust to help you make decisions
- ▶ Part of our culture for everyone
- ▶ Can be formal or informal



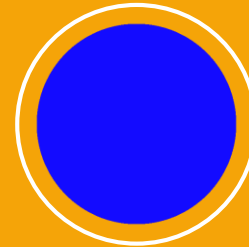
The Spectrum of Decision Making Supports



No defined needs or supports



Power of Attorney and/or formal SDM agreement, Rep Payee or Trust



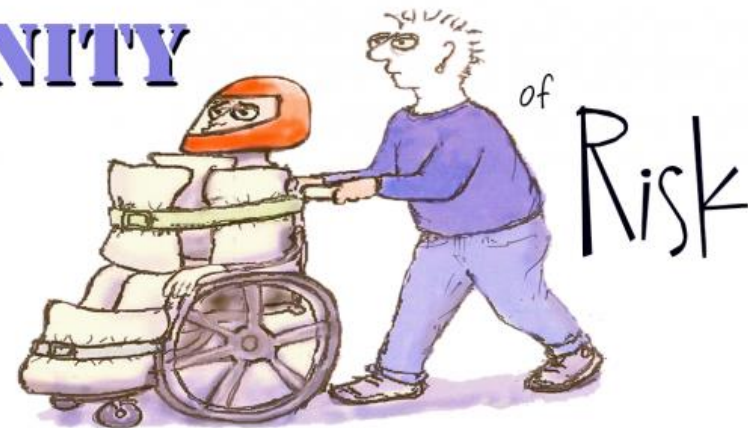
Limited or full guardianship or conservatorship

Supported Decision Making can be Used

Why Should Students and Families Consider SDM?

- ▶ Self-determination studies on safety and quality of life
- ▶ Increasing independence
- ▶ Dignity of Risk and learning from mistakes
- ▶ Preservation of Rights
- ▶ Minimal to no cost
- ▶ Valid for IEPs and other school decisions

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Why Should Students and Families Consider SDM?

- ▶ Can be implemented immediately and changed as needed
- ▶ Growing a culture of support network and reducing reliance on one person
- ▶ Virginia law, National Guardianship Association, and best practices all emphasize the least restrictive options being fully explored before other options are pursued
- ▶ Virginia is considering additional SDM legislation



National Guardianship Association Statement on SDM

- ▶ Guardianship should be utilized only when lesser restrictive supports are not available. Alternatives to guardianship, including supported decision making, should always be identified and considered whenever possible prior to the commencement of guardianship proceedings.
- ▶ Under all circumstances, efforts should be made to encourage every person under guardianship to exercise his/her individual rights retained and participate, to the maximum extent of the person's abilities, in all decisions that affect him or her, to act on his or her own behalf in all matters in which the person is able to do so, and to develop or regain his or her own capacity to the maximum extent possible.
- ▶ 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.

What if Something Bad Happens????

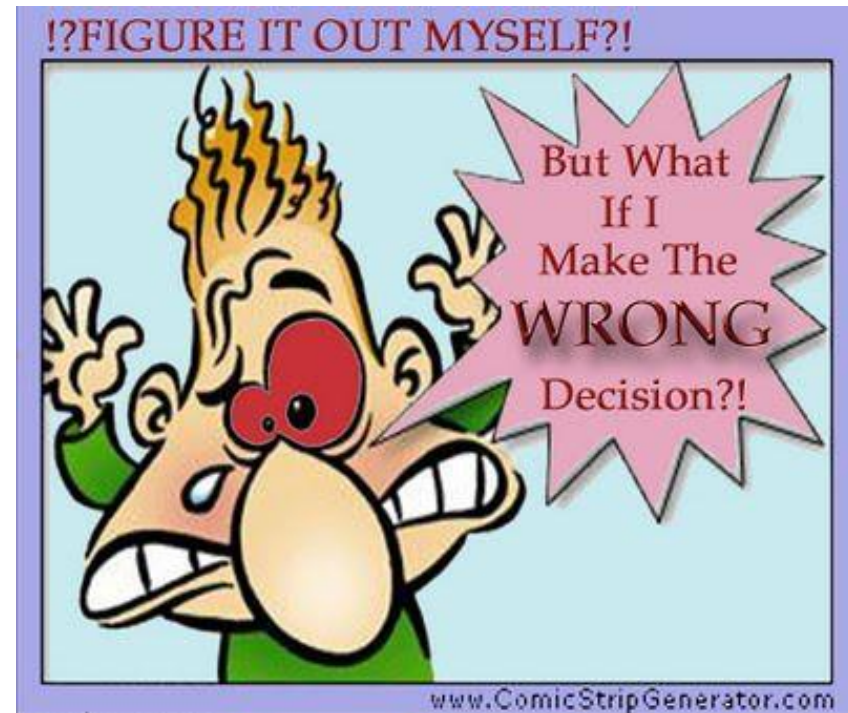
- ▶ There is no mandate to have a guardian for any part of education/IEPs
- ▶ We are all vulnerable
- ▶ No studies have show guardianship increases safety, but studies do show self-determination does
- ▶ Guardianship offers fewer protections than most people realize
- ▶ SDM utilizes and builds on strengths of the individual and their team
- ▶ We all learn to make better decisions by making mistakes
- ▶ Most people make some bad choices everyday, and that is okay



“Would you please elaborate on ‘then something bad happened’?”

Helping Students and Families Get Started with SDM

- ▶ No time is too early
- ▶ Refer to The Arc of Northern Virginia's Resource Library
- ▶ Article: Setting the Wheels in Motion by Suzanne Francisco
- ▶ When Do I Want Support from the ACLU



Helping Students and Families Put SDM into Action

- ▶ Talk about this as soon as you start meeting with a student
- ▶ Encourage students and families to read about it and get some ideas onto paper (see resource section at the end of this presentation)
- ▶ Let families know about free/low cost tools like our resource library and the VDOE POA



SDM Resources

- ▶ The Arc of Northern Virginia
 - ▶ <https://thearcofnova.org/programs-services/sdm>
- ▶ National Resource Center for Supported Decision Making
 - ▶ <http://supporteddecisionmaking.org/>
- ▶ Center for Public Representation
 - ▶ <https://supporteddecisions.org/>
- ▶ disAbility Law Center of Virginia
 - ▶ <https://www.dlcva.org/>

Supported Decision Making Resource Library

Be Sure to Bookmark This Page for Future Reference



Handouts & Factsheets

[Common Myths about Guardianship](#)

[The Basics of Supported Decision Making](#)

[100 Ways to Use Supported Decision Making](#)

