

# My Choice Kentucky: Exploring Supported Decision- Making May 25, 2016

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## Supported Decision-Making

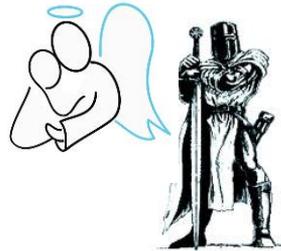
“a recognized alternative to guardianship through which people with disabilities use friends, family members, and professionals to help them understand the situations and choices they face, so they may make their own decisions without the ‘need’ for a guardian.”

(Blanck & Martinis, 2015)



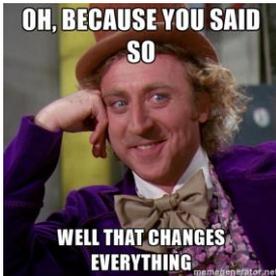
## Guardianship in Kentucky

- Based on the 2014-2015 National Core Indicators Survey:
  - Full Guardianship: 57%
  - Limited Guardianship: 2%
- People identified with 'mild intellectual disability':
  - 43% are under full guardianship
  - 3% are under limited guardianship
- 61% Moderate intellectual disability
- 87% Severe intellectual disability
- 92 % Profound intellectual disability



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## Guardianship at Age 18



- In Kentucky, the age of majority for people with intellectual or developmental disabilities is 21.
- FERPA overrules this in the school systems.
- Anecdotally, we learned that parents start hearing about guardianship from the schools when their child is as young as 13.

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## Alternatives to Guardianship

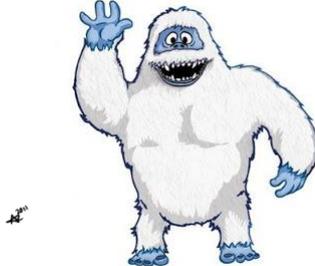
- School administrators and teachers don't typically know about alternatives.
- Most are interested in the concept of Supported Decision-Making.
- Harder to grasp due to lack of concrete steps.



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## Demystifying SDM

- The first step is to make it real, not a foreign concept.



All that is gold does not glitter. Not all those who wander are lost.

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# Demystifying SDM

Show parallels between SDM and ideas they already know:

- Student-led IEP
- IDEA
- Self-determination
- Person Centered Employment Plan (PCEP)
- Show how everyone uses SDM- medical care, taxes, car repairs, etc.

# Demystifying SDM

Show real world examples:

- DC Public Schools
- Texas
- Jenny Hatch



ESTATES CODE

TITLE 3. GUARDIANSHIP AND RELATED PROCEDURES

SUBTITLE I. OTHER SPECIAL PROCEEDINGS AND SUBSTITUTES FOR GUARDIANSHIP

**CHAPTER 1357. SUPPORTED DECISION-MAKING AGREEMENT ACT**

SUBCHAPTER A. GENERAL PROVISIONS

**Supported Decision Making Form**

NAME: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

I understand that I have a network of individuals to help me inform my educational decisions related to my Individualized Education Program (IEP) and I reach the age of majority. I would like the following individuals to assist me with making educational decisions. I understand that my parents or other individuals who register me in the decision making process and may have access to the documents listed below.

NAME	RELATIONSHIP	HOME ADDRESS	EMAIL ADDRESS	PHONE NUMBER
1.				
2.				

Members of my network may have access to the following educational documents if I have checked the box next to it:

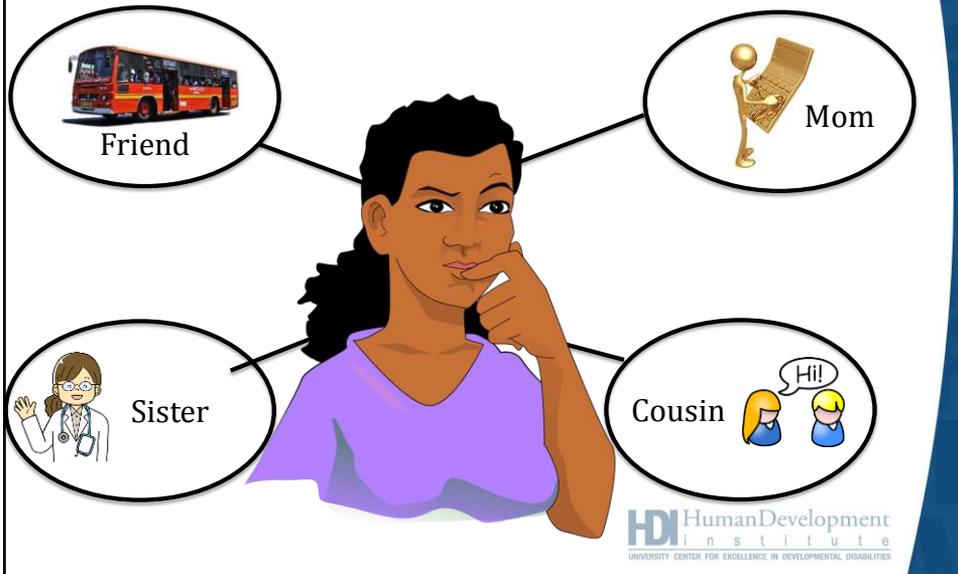
DOCUMENT	ACCESS
IEP	<input type="checkbox"/>
IEP meeting minutes and agendas	<input type="checkbox"/>
IEP meeting notes	<input type="checkbox"/>
Requests for changes to placement	<input type="checkbox"/>
Requests for changes to services	<input type="checkbox"/>
IEP evaluations	<input type="checkbox"/>
Progress reports	<input type="checkbox"/>
Report cards	<input type="checkbox"/>
Attendance information	<input type="checkbox"/>
Other:	<input type="checkbox"/>

It is my understanding that I make the final decisions about my educational future after consulting with members of my network, and can remove a member from my network or their access to my educational documents at any time.

NAME: \_\_\_\_\_ DATE: \_\_\_\_\_

School District Representative: \_\_\_\_\_ DATE: \_\_\_\_\_

## Demystifying SDM



## Discuss reasons for guardianship

- “Because you have \_\_\_”;
- “Because you’re \_\_\_ years old”;
- “Because you need help”;
- “Because that’s the way its always been”;
- “For your own good.”

## What have we learned?

- Most people don't know that there are alternatives to guardianship.
- When they find out, they are interested in learning more.
- Education professionals are unclear how to move forward without policies in place.
- Most professionals are not familiar with guardianship statutes.
- Guardians, professionals, and 'wards' have misconceptions about the roles and duties of a guardian.
- "If I had only known..."



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## What are we going to do about that?

- Keep talking!
- Find new funding streams and partners to continue the conversation.
- Work with individual families to put SDM into practice in Kentucky.
- Closing the 'front door' (schools) is key!
- Present SDM and guardianship law together with our partners at Kentucky Protection & Advocacy.

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## Next steps

- Present to special education directors this summer.
- Mail informational cards to attorneys, judges, medical offices, schools, etc.
- Continue to look for new funding.
- Offer a forum/workshop in Kentucky with Jonathan Martinis.
- Continue to engage other state agencies and organizations, work to get SDM into the regular transition conversation.



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Questions?



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## Contact

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