Supported Decision-Making From Theory to Practice: Special Education Planning and Supports

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Article of Faith

Students who have self-determination skills are more likely to successfully make the transition to adulthood, including improved education, employment and independent living outcomes.

- Wehmeyer & Schwartz, 1997

Getting There: The Individuals with Disabilities Education Act

"Under IDEA, schools must ensure that students in special education receive services reasonably calculated to enable the child to receive educational benefits."

Board of Education v. Rowley , 458 U.S. 176 (1982)

What are Educational Benefits?

- Providing students with a Free Appropriate Public Education?
- Educating students in the Least Restrictive Environment?
- Helping students with disabilities access the general curriculum?
- Increasing inclusion?

These are Educational Benefits!

Purpose of the IDEA:

"to ensure that all children with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and **prepare them for further education, employment, and independent living."**

20 U.S.C. § 1400(d)(1)(A) (emphasis added).

Therefore

Self determination is the ultimate goal of education
- Halloran, 1993

Promoting self-determination is a special educational “best practice”
- Wehmeyer & Hughes, 1998

Schools should focus on improving students’ ability to set goals, solve problems, make decisions and advocate for themselves and, just as importantly, to give students the opportunity to exercise these skills.
- Wehmeyer & Gragoudas, 2004

Before IDEA

As few as one in five students with disabilities received *any* type of education.

- Waters, D., Zanghi, M., Ansell, D. Armstrong, E., & Sutter. K., 2010

Before IDEA

"Important adult outcomes, such as employment, independent living and community integration [were] unattainable."

- Wehmeyer, M.L., & Schalock, R., 2001

And Yet
The "Default Option"

- School personnel are the most frequent source of recommendations that parents seek guardianship/conservatorship - Jameson, et al, 2015
- School personnel recommending guardianship/conservatorship often don't discuss alternatives like SDM with parents – Jameson, et al., 2015

Shut Down the On Ramp

- Effective Special Education Advocacy MUST focus on Self-Determination.
- If Self-Determination is the "Default Option" Guardianship isn't even a consideration!

Start Early

- Self-Determination and Decision-Making should be written into IEPs **AS SOON AS POSSIBLE**.

- DC Public Schools includes it in pre-K!

District of Columbia Public Schools

- Teaches students as young as 3 to use SDM and "build networks of support . . . to ensure that they are familiar with the process and utilize it in day to day activities." Sets an important precedent and pattern.
- Works with parents to help them "extend skills related to building supportive networks."
- Parents can then help students understand "it is fine to advocate for supports and seek assistance if questions arise."

- Downing-Hosten, P., 2015

IEP Process

- IDEA requires that schools annually review students' "present levels of academic achievement and functional performance." - 20 U.S.C. § 1414; 34 C.F.R. 300.304.

- Based, in part, on that assessment, schools must develop an IEP for students that meets the "needs that result from the child's disability" - 20 U.S.C. § 1414

- IEPs must then prepare students for "for further education, employment, and independent living." - 20 U.S.C. § 1400(d)(1)(A)

Self-Determination: Make it a Goal

IEP goals/objectives related to self-determination:

- For every goal, there should be an application of self-determination to get there.
- "I statements" in IEP goals and objectives to get student involvement and accountability

Examples: Behavior Goals

- Instead of: "The Student will use proper grammar 75% of the time."

Try

- “I will pick subjects I am interested in and write stories, using proper grammar in at least 3 out of every 4 stories.”

Your Turn: Writing Goals

- Write an "I Statement" to improve this goal:

"The Student will reduce the number of times she is tardy by 50%."

Creating and Reaching Those Goals: The Student Led IEP

- **THE STUDENT** actually engages in self-determination
- **THE STUDENT** can practice different decision-making methods in a "safe environment"
  - **THE STUDENT** leads meeting
  - **THE STUDENT** Identifies goals and objectives with assistance from professionals and people **THE STUDENT** invites

Doesn't That Sound Like

SUPPORTED DECISION-MAKING

Example of Student Led IEP Process

Sample Progression of Student-LED IEP Activities:

ADD ANOTHER STEP EACH YEAR/AS NEEDED

- Student introduces him/herself
- Student talks about him/herself and goals/what wants to be
- Student reviews IEP with teacher at start of school year
- Student reviews strengths and limitations (PLOP) including effect of disability
- Student reviews rights and obligations under IDEA
- Student takes part in pre-IEP meeting and conferences
- Students “hosts” meeting – greets and introduces everyone
- Student states purpose of IEP meeting

Student Led IEP con't

- Student goes through sections of IEP
- Identifies disability
- Goes through PLOP, discusses class performance
- Asks others to talk about PLOP
- Reviews assessments
- Discusses his/her goals
- Works on putting goals into IEP form
- Discusses transition goals
- Accommodations needed on tests, etc
- Additional services (PT/OT etc)
- Sets date for review with teacher
- Concludes meeting

The Student Led IEP Is Consistent with Research

- Students who led their IEP meetings "gained increased self-confidence and were able to advocate for themselves, interacted more positively with adults, assumed more responsibility for themselves, [and] were more aware of their limitations and the resources available to them." - Mason, C. Y., McGahee-Kovac, M., & Johnson, L., 2004

SDM and Self-Determination: Sounds Great, How Do I Get it?

Ask Early

- What is your school district's policy on developing self-determination and decision-making skills?
- Request self-determination goals
- Student Involved in IEP Process from Day 1

Evaluations

- Parents have a right to request evaluations for **ANYTHING.**
  - 20 USC 1415(b)(1)
- We already know that FAPE includes "special education and related services designed. . . **prepare them for . . . independent living."**
  - 20 U.S.C. § 1400(d)(1)(A)

"Dear School"

"I believe **STUDENT** has limitations in self-determination and decision-making that are keeping **STUDENT** from making educational progress, including preparing **STUDENT** for independent living. Pursuant to 20 USC 1415(b)(1) and I ask that you conduct an evaluation of **STUDENT** to determine if this is so and what services will help **STUDENT** overcome the limitations."

If You Don't Like the Results

"I disagree with the results of your self-determination, decision-making skills evaluation. I still believe that **STUDENT** has limitations in those areas that are preventing **STUDENT** from making educational progress. Therefore, pursuant to 34 C.F.R. 300.502, I request an Independent Educational Evaluation at public expense"

Assessing Support Needs: I'mDetermined.Org

Self-Determination Checklist
Educator Assessment

Student Name:_____ Date:_____

Self-Determination skills help you to know

- ❑ *yourself*
- ❑ *your goals*
- ❑ *supports you need to reach your goals*

Use the following scale to rate the statements below:

3 = almost always/most of the time **1 = rarely or never**
2 = sometimes **0 = not observed**

Rating				
3	2	1	0	My student sets goals to get what he/she wants or need.
3	2	1	0	My student makes plans for reaching his/her goals.
3	2	1	0	My student checks his/her progress when working toward his/her goals.
3	2	1	0	My student attends his/her IEP Meetings.
3	2	1	0	My student participates in his/her IEP Meetings.
3	2	1	0	My student knows the goals listed in his/her IEP.
3	2	1	0	At school, educators listen to my student when he/she talks about what he/she wants or needs.
3	2	1	0	At home, my student's parents listen when he/she talks about what he/she wants or needs.
3	2	1	0	My student has others in his/her life who help him/her to accomplish goals.
3	2	1	0	My student asks for help when he/she needs it.
3	2	1	0	My student knows what he/she needs, what he/she likes and what he/she enjoys doing.
3	2	1	0	My student tells others what he/she needs, what he/she likes and what he/she enjoys doing.
3	2	1	0	My student helps to make choices about the supports (educational services) and accommodations that he/she needs in school.
3	2	1	0	My student can describe his/her learning difficulties to others.
3	2	1	0	My student believes he/she has control to direct his/her life.
3	2	1	0	My student takes care of his/her personal needs (clothes, chores, meals, grooming).
3	2	1	0	My student makes friends with others his/her age.
3	2	1	0	My student can make good choices.
3	2	1	0	My student believes that working hard in school will help him/her to get a good job.

2008 Commonwealth of Virginia Department of Education
Training and Technical Assistance Centers – I'm Determined Project
Self-Determination Checklist ~ Educator Assessment

I'm Determined Check List

- Review and rate on a scale of 0-3 whether the student has characteristics that demonstrate self-determination:
  - The student feels in control of his or her life;
  - The student tells people what he or she needs and wants;
  - The student makes good choices; and,
  - The student has people in his or her life that can provide support.
- IEP teams use students' "scores" to shape their educational programs and services. For example, if a student "scores" low on areas related to decision-making, the IEP team should develop goals, objectives, and services designed to help that student use SDM.

Self-Determination Goals

- If students have limitations in decision-making and self-determination that are preventing them from progressing toward "further education, employment, and independent living," their IEPs should include goals and services designed to help them improve in those areas.
- Research shows that creating and implementing such goals and supports results in students becoming more self-determined and improving their performance in school and non-school activities. - Wehmeyer, M., Palmer, S., Shogren, K., Williams-Diehm, K., & Soukup, J, 2013

But, Wait

WHAT DOES THIS HAVE TO DO WITH GUARDIANSHIP AND SUPPORTED DECISION-MAKING?

Remember Jenny?

"I believe what would be beneficial to Jenny is that she is afforded the opportunity to have individuals around her who support and love her, who give her the assistance she needs."

Doesn't that Sound Like 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

SDM Is Consistent with Best Practices

Schools should help students improve their "goal setting, problem solving, decision-making and self-advocacy skills . . . and [provide] opportunities for students to use these skills." - Wehmeyer & Gragoudas, 2004.

Why Guardianship?

Guardianship happens when people can't "take care of themselves in a manner that society believes is appropriate."

- Kapp, 1999

Ways to Access Supports To Learn to "Take Care of Yourself"

- Related Services
- Therapies
- Independent Living Skills
- Functional Goals

THINK BROADLY

Accessing Supported Decision-Making Through Medicaid:EPSDT

Early and

Periodic

Screening

Diagnosis

Treatment

The Basics

- EPSDT is designed to identify and treat problems EARLY before they worsen.
- Available to ANYONE receiving Medicaid (through "State Plan Option," HMO, or Waiver) who is under 21
- You do not have to enroll - it is NOT a separate Medicaid program

In Practice: What it Covers

ANYTHING that can conceivably be covered by Medicaid, whether or not your state covers it. If some state COULD cover it to fix a medical problem, help it, or keep it from getting worse, your state MUST cover it under EPSDT.

- Example: Virginia does not cover most dental care under Medicaid but other states do. So, Virginia MUST cover dental care for children receiving EPSDT.

Self-Determination

So, if child's disability causes him or her to have difficulty making decisions, EPSDT must cover supports and services to help the child overcome this.

This is especially true if the disabilities are likely to result in him or her being unable to "take care of [him or herself] in a manner that society believes is appropriate"

Kapp, M. (1999).

Coordination Opportunity: Special Education and EPSDT

If a school is a Medicaid Provider, any medical services and supports in an IEP are covered by Medicaid.

https://www.medicaid.gov/medicaid/hcbs/downloads/1915c-fact-sheet.pdf

Learning to "Take Care of Yourself": SpEd Transition Services

Transition services are "a coordinated set of activities"

- To "facilitate the child's movement from school to post-school activities, including post-secondary **education**, vocational education, integrated **employment** (including supported employment), continuing and adult education, adult services, **independent living**, or community participation;"
- Are "based on the individual child's needs, taking into account the child's strengths, preferences, and interests; and
- Include "instruction, related services, community experiences, the development of employment and other **post-school adult living objectives,** and, when appropriate**, acquisition of daily living skills** and functional vocational evaluation."

20 USC 1401(34)

Transition Services

Start: "Beginning not later" than the year the student turns 16

- 20 U.S.C. § 1414(d)

Continue: At least until student is 21

- 34 CFR §300.101

YOU HAVE FIVE YEARS

- To “coordinate services”
- To “coordinate community experiences”
- To “coordinate the development of post-school adult living objectives”
- To “coordinate . . . the acquisition of daily living skills”
- To “prepare for further employment, education, and independent living”

Research on Learning How to "Take Care"

- Self-Determined Learning Model of Instruction (SDLMI) - Agran, Wehmeyer, 2000
- Students take the lead in setting their own goals and develop plans to meet them. They work with their schools to evaluate progress and revise goals and methods as needed. When they identify barriers preventing them from reaching their goals, they find and implement solutions, and assess the results of their choices.
- One study found that almost nine of ten students with intellectual disabilities who used the SDLMI met or exceeded their educational goals and teachers' expectations. Another study found that eighty percent of SDLMI students progressed toward their goals and more than half met or exceeded them. – Wehmeyer, Palmer, Agran, Mithaug, & Martin, 2000.

Join the Conversation

National Resource Center for Supported Decision-Making:
SupportedDecisionMaking.Org

The Burton Blatt Institute: www.BBI.Syr.Edu

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