

## Information for STUDENTS and FAMILIES About Alternatives To Guardianship For Education Decisions

### **After a student turns 18, who gets to make decisions about their education?**

When a student turns 18 they get to make their own decisions. This includes school decisions. But, sometimes a student with a disability has difficulty making choices. They may have a hard time saying what they want to do. A family member may want to ask a court to appoint a guardian to make decisions for the student.

Before asking for a guardian, it is important to consider other options.

Guardianship is a significant loss of liberty. It limits or denies a person the right to make their own decisions. There are times when guardianship may be necessary. However, the law requires that alternatives to guardianship be considered before asking for a guardian.

### **Here are ways a student can get help from others without having a guardian:**

**Supported Decision-Making:** Supported decision-making is an alternative to guardianship. The student selects people to help them make and communicate choices. The student gets help to understand information, but they make the decision.

**Release of Information:** The student signs a form that says who to invite to school meetings. The form says who can get information and records from the school.

**Education Power of Attorney:** A student uses this document to give someone the power to make school decisions for them. It also describes how the student will help make those decisions.

Here are a few things you need to know about an education power of attorney:

- You do not have to go to court to establish a power of attorney
- The power of attorney needs to be signed by a Notary Public
- The student decides who they want to make decisions for them
- The student can cancel the agreement at any time

### **Here are a few tips for students and their supporters on how to get ready for a school meeting:**

- Before a meeting ask the school to send a plain language version of:
  - any reports
  - evaluations
  - Individual Education Plans (IEPs)
- Get support to make a list of what works and what is not working at school.
- Make a list of questions and practice asking them.
- Practice what to do and say if you disagree with others during the meeting.
- Plan for what to do if you are upset or confused. You can always leave the room to talk with your supporters or if you just need a break.

**Here are a few tips on what to do during a school meeting:**

- Speak Up!
- Ask people to introduce themselves. Make sure you know who is in the room.
- Ask people to speak clearly, use words that everyone understands, no abbreviations or alphabet soup.
- Stop frequently and make sure you understand what is going on.
- Ask others to break down information into smaller parts.
- If any written information was not sent out ahead of time, ask someone to read it aloud at the meeting.
- Ask questions.
- Remember, take your time to make decisions. You do not have to decide during the meeting.
- You should take papers home and get help reading them.
- You can ask your family member or a friend to make a point during a meeting.

For more information on alternatives to guardianship and supported decision-making go to [gmsavt.org](http://gmsavt.org)

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**The Vermont Supported Decision-Making Partnership**

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