Disrupting the School-to-Guardianship Pipeline for Youth with I/DD

Alison H. Climo, M.S.W., Ph.D. and Linda Kendall Fields, M.Ed.
Center for Aging and Adult Research and Educational Services (Cares) at the UNC Chapel Hill School of Social Work

The Challenge
“For a variety of reasons, youth with I/DD are disempowered by schools actively encouraging guardianship to the exclusion of less restrictive alternatives and not providing families and students with sufficient information about the availability of... decision-making supports.”

An Opportunity
“The United Nations Convention on the Rights of Persons with Disabilities (CRPD) establishes a new paradigm of supported decision-making, rather than guardianship or substituted decision-making, for people with intellectual disability.”

Recommended Alternative
If families and students feel uncomfortable with the transfer of the decision-making abilities of the student, the opportunity exists to explore any number of strategies to support the student transitioning into adulthood. As a last resort, the prospective guardian may petition for limited or full guardianship at the local probate court.

For more information about alternatives to guardianship, please visit Rethinking Guardianship NC at https://rethinkingguardianshipnc.org/ and the National Resource Center for Supported Decision-Making at http://supporteddecisionmaking.org/.

You may also want to discuss your options with an Elder & Special Needs attorney you can find through the NC Bar Association at https://www.ncbar.org/public-resources/find-an-nc-lawyer/.

Around 200 North Carolina Local Educational Agency’s (LEA) Transfer of Rights brochure (emphasis added)

The Evidence
Mazzotti, et al. (2021) in Career Development and Transition for Exceptional Individuals

Validated previous predictors:
- Career & technical education
- Interagency collaboration
- Inclusion in general education
- Paid employment/work experience

Self-Determination
Identified four new predictors:
- Goal setting
- Parent expectations
- Travel skills
- Youth autonomy/decision-making

Why It Matters
- Youth autonomy/decision-making is among four newly identified predictors of post-school success and aligns with supported decision-making.
- It is important for families, educators, and LEAs to be aware that these predictors are research-based strategies for post-school success.
- The North Carolina DPI Indictor 14 Report includes post-school outcomes, such as if the student is employed and/or enrolled in postsecondary education after graduation high school.

Strategy
Educate individuals and families about Supported Decision-Making and other less-restrictive alternatives to guardianship.

For families, educators, and districts
- educate yourselves (participate in webinars, RG module)
- educate others (colleagues, students, families)
- provide purposeful decision-making practice opportunities beginning in middle school grades.

Visit Rethinking Guardianship www.rethinkingguardianshipnc.org

References