

Weslaco Independent School District

Special Education Department

Notice On Guardianship, Alternatives to Guardianship, & Other Supports & Services

Student: _____ **D.O.B.:** _____ **Age:** _____

School: _____ **Grade:** _____ **ID #:** _____

In Texas, all legal rights transfer to the individual at age 18. Financial, medical, educational, and other decisions are up to the individual who has reached the “age of majority.”

What is guardianship? Guardianship is when a judge decides that a person with a disability cannot make their own decisions. The judge chooses a guardian. A guardian is someone who makes decisions for you. Under guardianship, you can lose your rights to: • Drive • Choose where you live • Choose where you work • Vote • Get married • Make medical decisions • And more Full guardianship means the guardian makes every decision. Limited guardianship means the guardian only makes certain decisions.

What are alternatives to guardianship? Alternatives to guardianship are ways that can help you make life decisions and get support without having your rights taken away. Here are a few alternatives to guardianship: • **Supported Decision-Making:** This is when someone you trust helps you make choices. • **Power of Attorney:** You give someone else permission to make some decisions for you, but you still keep your right to make decisions without this person. These could be medical, school, money, or other kinds of decisions. • **Representative Payee:** If you receive SSI or other social security, someone will keep track of and manage your money. • **Special Needs Trust:** A trust is an account where you and others save money for your benefit, and you will not lose your Medicaid or SSI benefits. • **ABLE Account:** This is a special bank account you have control over. You can save money in an ABLE Account and still get all of your Medicaid or SSI benefits. More information at www.texasable.org. • **Joint Bank Account:** This is an account you and someone else share. You and the other person can both put money in and take money out. • **Person-Centered Planning:** This is when people you choose help you plan for your future. They help you decide what is important to you. They also ask what helps keep you safe and healthy. With people you trust, you can make goals for your life. They help you make decisions about what you want. For more information on these options, call Disability Rights Texas at 1-800- 252-9108 or visit www.DRTx.org, call The Arc of Texas at 1-800-252-9729 or visit www.arcoftexas.org, or talk to someone you trust.

What are supports and services? You can get supports and services to help you make life choices instead of getting a guardian. For example, a friend or family member may help you pay your bills. Or an attendant could help you get dressed and cook food. Many people with disabilities also get help through something called a Medicaid waiver. Medicaid waivers have waiting lists, so be sure to get on an interest list. To find out more about Medicaid waivers, call 1-855-937-2372 or go to www.dads.state.tx.us/services/contact.cfm. Another thing you can use is supported decision-making.

What is supported decision-making? Supported decision-making means choosing someone you trust to help you make decisions. Your helper, or supporter, can be someone like your parents or a good friend.

Your supporter CANNOT make decisions for you. Your supporter CAN, however:

- Help you understand your choices and decisions
- Help you get and understand information to help you make your decisions
- Help you tell your decisions to other people
- With supported decision-making, you make your own choices with help. This lets you be more independent

How does supported decision-making work? If you want to use supported decision-making, follow these steps.

- Choose people you trust to help you make decisions.
- Ask them to be your supporter(s). You can change your mind and say you don't want this person to support you whenever you want.
- Think about what decisions you need help making. Your supporter can help you choose things like where to live, where to work, what medical help you want, and more.
- Create a written plan called a supported decision-making agreement. When you need to make a decision and want help, you can ask your supporter(s) to help you. You can also take your agreement with you to the doctor, to school, when looking at places to live, and more!

Notice Provided to Student On: _____ By: _____

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Resources

Neil Garza, Special Education Director, 956-969-6822

Todd Larson, Region One Education Service Center, 956-984-6000

Disability Rights Texas, www.dr.tx.org , 1-800-252-9729

Texas Parent to Parent, www.txp2p.org

The Arc of Texas, www.arcoftexas.org, 1-800-252-9729

Texas Department of Aging and Disability Services, 1-800-458-9858 or 956-969-6100

Texas Rural Legal Aid, 1-888-988-9996 or 956-968-9575

Transition in Texas, <https://www.transitionintexas.org>