



RESOLUTION ON THE RIGHT TO COMMUNICATE (INCLUDING FACILITATED COMMUNICATION)

The Colorado Developmental Disabilities Council wishes to clearly state its position on Communication Access, and on Facilitated Communication for people with Developmental Disabilities. This is a resolution because its tenets already are stated in the Council policy papers on Inclusion, and Family Support. The Council also recognizes TASH (The Association for Persons with Severe Handicaps) for its comprehensive resolutions on The right to Communicate and Resolution on Facilitated Communication that are paraphrased and used for the foundation of the Council's resolution. Communication alternatives give people with disabilities "an opportunity for a voice and participation in the affairs of the communities in which they live" as cited from the Council's Inclusion Policy Paper. Family Support states "families have options and access to information about the options before making their decisions." It also defines best practices as "family directed."

Individuals with developmental disabilities in Colorado must be allowed communication access that has options and is chosen, and controlled as they personally desire.

The right to communicate is both a basic human right and the means by which all other rights are realized. All people communicate. In the name of fully realizing the guarantee of individual rights, we must ensure:

- That all people have a means of communication which allows their fullest participation in the wider world;
- That people can communicate using their chosen method; and
- That their communication is heeded by others.

Where people lack an adequate communication system, they deserve to have others try with them to discover and secure an appropriate system. No person should have this right denied because they have been diagnosed as having a particular disability. Access to effective means of communication is a free speech issue.

Access to communication. All persons born with disabilities should be given support and training directed towards permitting them to communicate freely. All people with communication disabilities should be given the full opportunity to use augmentative and alternative communication. "Access" includes access to assessment to judge the suitability of the method, access to training in the method; and access to any equipment needed, both in the short term during training and in the longer term for continued use on a daily basis if training is successful.

Education. Education in communication techniques is an essential element of the education of people with communication disabilities. People using augmentative or alternative communication must be given any assistance necessary to use that system in the education system. Any equipment, training or staffing necessary to enable communication to take place must be supplied, both to that person and to those with whom he or she wishes to interact on a daily basis.

Freedom to Communicate. No person should be able to veto the use of another person's augmentative or alternative communication, and in instances where such use is forbidden; there should be recourse to the legal and protective systems. People with communication disabilities must be allowed to use the communication system of their own choice in all communication interactions in any setting.

Legal Issues. People using augmentative communication must be permitted to use the system of their own choice in court. Any person using a communication strategy requiring the involvement of another person to receive and relay their communication (e.g. manual sign, communication boards, facilitated communication) must be permitted to use the partner of their choice in court.

Presumption of Competence in Decision-Making and Advocacy. People are presumed to have an active interest in decisions affecting their lives on a short-term and long-term basis. In planning or decision-making on a person's behalf, that person's participation must be ensured regardless of the formal communication modalities used. This may include the involvement of allies, advocates and communication partners before and after meetings, and may also include the involvement of a "communication ally" during the course of the meeting.

Facilitated Communication. Facilitated Communication is one of the many alternative means of expression currently used, that the Colorado Developmental Disabilities Council recognizes as an individual right for citizens of Colorado that have communication disability. While being complex and continuing to be researched, this does not negate its ability to allow some individuals to express themselves. It is important that facilitators not only be trained, but stay informed of new research and practice. Further, facilitators should be encouraged to work in collaboration with individuals with disabilities to find ways of confirming communication competence when using facilitation. This includes but is not limited to controlled designs; portfolio analysis; and transitioning to independent typing. When sensitive communications occur, facilitators and others may seek clarification of the communication. Overall, it is paramount to ensure that users of facilitation are given the same access to legal and other systems that are available to persons without disabilities. It is important not to silence those who could prove their communication competence while using facilitation or any other method of expression.

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