

# Self Advocates & Sexuality

We Have Rights!

# Presenters

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A Self  
Advocate  
May Ask....

Does the Sex  
Education Law Apply  
to Me Where I live?



## The Sex Education Law Requires the following types of places to assess for and provide sex education:

- Community Integrated Living Arrangements (CILAs)
- Other Places where persons may live called:
  - ICFDDs
  - 16-bed facilities
- State-Operated Facilities
- Vocational or Day Programs
- Your choice if you live in a group home and also go to a Day Program



The law talks about decision-making capacity to give consent....

**What does decision-making capacity to give consent to sexual activity mean?**

# Sexual Consent Capacity Means:

You are able to voluntarily make a thought-out decision about whether or not to participate in a sexual activity. This includes:

- You are **not forced into a sexual activity** against your wishes.
- You understand what might be **safe and unsafe** and any risks. For example, if you have unprotected sex with an individual, you might get a sexually transmitted disease.
- You understand **what might happen** as a result of the activity. For example, unprotected sex can result in pregnancy.

Understand: Information, Risks, Consequences,  
Not Forced

# Can my ability to Consent Change?

Yes, your ability to give consent can change over time or in different situations for several reasons:

- When you get more education.
- If you become ill or take medication.
- Some decisions may be more difficult than others.
- If information is provided differently such as through pictures, examples or if more information is provided.



A Self-Advocate Might  
Wonder...

What is meant by Sexual Activity?



# Sexual Activity can mean many things...

- Having a relationship
- Holding hands
- Kissing
- Dating
- Sexual intercourse
- Masturbation
- If a persons lacks consent capacity to sexual intercourse, it should not limit other types of sexual activities such as holding hands or kissing.



The law talks about  
developmentally  
appropriate sex education...

What does developmentally  
appropriate mean?

# Developmentally Appropriate

Is a way to educate that respects the needs and abilities of the self-advocate such as:

- How the self-advocate best learns
- How the information might affect the self-advocate
- How the self-advocate might feel about the information
- And, any physical needs of the self-advocate



A Self-Advocate Might Wonder...

How does this sex education work?

How do I get sex education?

# How to get sex education

- Talk to a case manager, a family member or your guardian.
- Talk with a member of your team.
- Your team might talk to you about sex education and may need to do an assessment BUT YOU should be a part of the discussion.
- You can also share what type of sex education you might want.
- You can ask for different education, help in understanding it, or changes to the information in a way that you can understand.

A self-  
advocate  
might  
wonder...

**What might an assessment  
look like?**



# Assessments

- Might already be done and in your **file** (medical evaluation or an evaluation completed by a psychologist or social worker).
- **An additional assessment** might be needed to ask you, in private, about your understanding of sex, sexual activities, safety, healthy behavior, healthy relationships, and personal values.

A self-advocate may have questions about...

What will be part of the sex education and who will provide it?





Sex education will be usually be arranged or provided by an agency staff person and may include:

- Written information and/or pictures
- Webinars or videos
- Discussion
- A chance to ask questions
- Stories and examples

A Self-  
Advocate  
might be  
concerned  
that...

He/She might have to discuss sex education or interest in sex education in front of others.


Is this true?

And, will sex education occur in a classroom?




## Sex education should be provided in a way:

- That works for you, that makes you feel comfortable
- That you understand,
- That respects your privacy




What if I  
have a  
Guardian?

Does my guardian decide  
whether or not I can have sex  
education?



# Guardians

- A Guardian must be part of decisions but should include you.
- Guardians should make decisions based as much as possible on what the person wants unless it causes harm.
- Laws say that persons who have enough consent capacity to decide if they want sex education should be allowed to do so.
- If a guardian refuses to allow sex education and the person wants sex education, the person can discuss with their team, case manager or contact the court or an advocacy agency.



Any other questions  
from self-  
advocates?????