

The Transfer of Rights Will Automatically Occur on Your Child's 18th Birthday (Age of Majority)

Prepare your child to:

- Understand his/her rights
- Understand his/her choices and to make informed decisions
- Participate in his/her IEP and other meetings where planning and decision making occur involving his/her educational experiences or future
- Recognize his/her strengths and weaknesses
- Understand his/her disability
- Become independent
- Believe in himself/herself and develop self-determination skills



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Guardianship

One reason a statement of the transfer of rights is given at least one year before a student with a disability turns 18 is to alert parents and guardians that they must consider whether or not their child is capable of making informed decisions at the age of majority. In some cases, parents or guardians may determine it is necessary to have their child declared legally incompetent and placed under guardianship so that the court-assigned guardian, which can be the parent, can make the decisions for the student. Guardianship requires court intervention. It is an expensive and lengthy process.

Delegation of Right to Make Educational Decisions

A student with a disability between the age of 18 and 22 who has not been declared legally incompetent and has the ability to give informed consent may execute a Delegation of Right to Make Educational Decisions. The Delegation allows the student to appoint his/her parent or agent to make educational decisions on his/her behalf. The student has the right to terminate the agreement at any time and resume his/her right to make decisions. The specific wording to be included in the agreement can be found in the Arizona Revised Statutes 15-773.

Support is available from:

Raising Special Kids

<http://raisingspecialkids.org>

Pilot Parents of Southern Arizona

<http://pilotparents.org>

Parent Information Network Specialists (ADE/PINS)

<http://www.ade.az.gov/ess/das/pinspals>

ADE-ESS Secondary Transition

www.ade.az.gov/ess/specialprojects/transition

Contents adapted from:

Age of Majority:

Preparing Your Child for Making Good Choices:

www.ncset.org/publications



Prepare Your Child for the Future

Transfer of Rights at Age of Majority



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