



Indicator 13 Transition Services: Transfer of Rights at Age of Majority

What is meant by “age of majority”?

- Age of majority is the legal age established under state law at which an individual is no longer a minor and as a young adult, has the right and responsibility to make certain legal choices that adults make.
- At the age of majority, students are granted certain legal rights, such as the right to vote, marry, obtain a credit card, consent to medical treatments, make living arrangements, and sign contracts. (ncset.org)
- The age of majority in Arizona is 18 years old.

What rights are being transferred?

- The “rights” being transferred are those identified in the procedural safeguards document that is provided at least once a year for students who are eligible for special education and related services.
- The rights include, but are not limited to:
 - Giving or refusing consent for evaluations or new assessments given for reevaluations,
 - Reviewing educational records,
 - Revoking consent for special education placement,
 - Receiving prior written notice of actions to be implemented or refused by the PEA,
 - Requesting mediation or a due process hearing , and
 - Filing a complaint regarding a free appropriate public education (FAPE).

When is the PEA required to provide notification of the transfer of rights?

- IDEA states, “Beginning not later than one year before the child reaches the age of majority under State law, the IEP must include a statement that the child has been informed of the child’s rights under Part B of the Act, if any, that will transfer to the child on reaching the age of majority under §300.520. [§300.320(c)]”
- Since the age of majority in Arizona is 18, the transfer of rights notification to both parent and student must occur prior to the student’s 17th birthday.

How is the notification of transfer of rights documented?

- The notification can be included in the IEP document that is dated prior to the student’s 17th birthday.
- It is the decision of the PEA how to include the notification documentation.