



## 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](http://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.