

TRANSFER OF RIGHTS



What is the transfer of rights?

The transfer of rights provides written notification to a parent and student with a disability that all rights granted to a parent under IDEA will transfer to the child on their 18th birthday.

When is the transfer of rights provided?

The written notice of transfer of rights must be provided to the parent and the child at least one year before the child's 18th birthday and again when the child turns 18. A statement should also be included in the IEP that the transfer of rights was provided.

Adult Students



Once a child turns 18, all parental rights under IDEA will transfer to the student

The parent(s) or guardian(s) will still receive any notice required under IDEA for the adult student



The adult student or the LEA may invite any individuals who have knowledge of the student, including the parent or person(s) designated on a supported decision-making agreement, to be a member of the ARD committee meeting



The transfer of rights must include information about:

Transfer of Parental Rights under IDEA

The local education agency (LEA) should outline all parental rights under IDEA that will transfer to the adult student upon their 18th birthday, unless the parent(s) or other persons have been granted guardianship

Alternatives to Guardianship and Supported Decision-Making Agreements

Any supports that may enable the student to live independently should be provided with the transfer of rights, including information about guardianship, alternatives to guardianship, and supported decision-making agreements



ALTERNATIVES TO GUARDIANSHIP

For more information, click on the links below or scan the QR codes

[Legal Requirements for the Transfer of Rights and Alternatives to Guardianship](#)



[TEA Notice of Transfer of Rights and Model Form](#)



[Alternatives to Guardianship Fact Sheets from the ARC of Texas](#)



[Supported Decision-making Toolkit from Disability Rights Texas](#)

Frequently Asked Questions

When is the LEA required to provide information about guardianship or alternatives to guardianship?

Any time that a parent or child with a disability requests information about guardianship or alternatives to guardianship, the LEA must also provide information and resources about supported-decision making agreements.



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