

Age of Majority & Your Child

The age of majority is the age at which your child is no longer a minor and assumes the rights and responsibilities to make certain legal decisions that adults make. In Texas, the age of majority is 18.

Age of Majority and Your Child Who Receives Special Education

When your child reaches the age of majority, parental rights under the Individuals with Disabilities Education Act (IDEA) will transfer from you (the parent) to the adult student on the day they turn 18 years of age.

This transfer of rights means that your child will have access to their education records, will make their own educational decisions, and will have the authority to give or withhold consent for evaluations, services, and placements.

Upon transfer of parental rights, you will continue to receive notices of your child's Admission, Review, and Dismissal (ARD) committee meetings, but you may only attend the meetings if invited by either your child or the school.

What Does IDEA Say?

[IDEA, Sec. 300.320\(c\)](#) states that "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](#)".

As noted in [IDEA, Sec. 300.520](#), when your child reaches the age of majority, the educational rights and responsibilities previously provided to you, as the parent, are now transferred to your child, unless a guardian has been appointed to make some or all of the decisions.

- The school district must provide any notice required by IDEA to both you and your child.
- All rights accorded to you under Part B of IDEA transfer to your child, including children who are incarcerated in an adult or juvenile, state or local correctional institution.
- The school district must notify you and your child of the transfer of rights.



Resources for Families

Need more information on IDEA, IEPs, or special education? Scan the QR code to access our online resources.



Partners Resource Network

 Offices in Lubbock, Houston, Austin, El Paso, and Dallas/Fort Worth

 1.800.866.4726

 info@prntexas.org

 prntexas.org



What Types of Educational Decisions Should My Child Be Prepared For?

When your child reaches the age of majority, some or all of their educational rights may be transferred to them. At that time, they may become responsible for decisions such as:

- Consent for evaluation or reevaluation,
- Consent for changes in placement or services, and
- Requests for mediation or a due process hearing to resolve a dispute about evaluation, identification, eligibility, IEP, placement, or other aspects of a free appropriate public education (FAPE).

How Can the School and I Help Prepare My Child for the Age of Majority?

- Work with your child on relationship-building and self-advocacy skills.
- Encourage your child to participate in educational decisions, including the development of their IEP.

Partners Resource Network has a Youth Leadership Training program that can help your child with a disability learn about self-advocacy, ARD meetings, transition planning, their disability, preparing for post-secondary education, employment, and more. For more information about our Youth Leadership Training, contact Partners Resource Network at 1-800-866-4726 or info@prntexas.org.

What if My Child Does Not Have the Ability to Manage Certain Rights Independently?

If your child is not ready for this level of responsibility, but does not require a legal guardian, other legal options include supported decision-making and power of attorney.



The contents of this publication were developed under a grant from the U.S. Department of Education, #H328M200041, #H328M200042, #H328M200043, #H328M200044. However, those contents do not necessarily represent the policy of the U.S. Department of Education, and you should not assume endorsement by the Federal Government.