

TRANSFER OF RIGHTS:



What Do I Need To Know?

Michigan Developmental Disabilities Council

Overview:

The Individuals with Disabilities Education and Improvement Act (IDEA) recognizes the autonomy of students, when students legally become adults. In Michigan this happens when a student turns 18, gets married, or becomes legally emancipated. It's never too early to start teaching supported decision making skills to children. Starting early helps to prepare them for adult life. When students become adults, they can then express their choices in service provision. When the time comes, students have both, informal and formal options to consider.



Transfer of Parental Rights

The transfer of parental rights is required in IDEA. The school district must provide notice of this transfer at least one year before a student turns 18. They must also provide:

- ✓ A copy of the MDE Notice of Procedural Safeguards at the IEP meeting closest to their 17th birthday
- ✓ A statement in the students IEP that the family has been informed on the transfer of parental rights

Things Students Can Do:

Even adults, do not make important decisions without talking to their parents, friends and others that know them well. The student and their family can still work together as critical transition team members after parental rights transfer to the student as an adult. The difference will be that the student will have the final decision-making authority. Below are a couple of ideas to consider:

- ✓ Students can learn more about self-determination (S-D)
- ✓ Students can ask that training on S-D be written into their IEP
- ✓ Students can ask for resources on student led IEP's
- ✓ Students can actively participate in IEP meetings
- ✓ Students can make a written request to keep parents or others they trust involved

Things Parents Can Do:

There are some things that immediately change, but a parent can still be involved at many levels without guardianship.

- ✓ Parents can continue an open line of communication with the student
- ✓ Parents can, with the student's permission, review school records
- ✓ Parents can file a complaint on behalf of the student
- ✓ Parents can attend the IEP meetings, at the invitation of the student or the school

For information or questions contact the Developmental Disabilities Council at: (517) 335-3158, or on the web at: www.michigan.gov/ddcouncil