

**INTERNATIONAL LEADERSHIP OF TEXAS BOARD POLICY  
MANUAL  
POLICY GROUP 6 - SPECIAL EDUCATION  
ADULT STUDENT**

**PG-6.4**

**Sec. 1. AGE OF MAJORITY – TRANSFER OF RIGHTS**

A student with a disability who is 18 years of age or older or whose disabilities of minority have been removed for general purposes under Chapter 31, Family Code, shall have the same right to make educational decisions as a student without a disability. All rights accorded to parents under Chapter 29, Subchapter A of the Education Code or 20 U.S.C. 1415 transfer to the student.

Not later than one year before the 18th birthday of a student with a disability, International Leadership of Texas shall:

1. Provide to the student and the student's parents:
  - a. Written notice regarding the transfer of rights; and
  - b. Information and resources regarding guardianship, alternatives to guardianship, including a supported decision-making agreement under Estates Code, Chapter 1357, and other supports and services that may enable the student to live independently; and
2. Ensure that the student's individualized education program ("IEP") includes a statement that International Leadership of Texas provided the required notice, information, and resources.

When a student reaches the age of majority (18 years of age), except for a student who has been determined to be incompetent under state law, all rights under IDEA transfer from the parent to the adult student, except that International Leadership of Texas must provide any notice required under IDEA to both the adult student and the parent. At the time the student reaches 18, International Leadership of Texas shall provide written notice to the student and the student's parents that the adult student has the same right to make educational decisions as a child without a disability; and all rights granted to the parent under IDEA have transferred to the adult student, unless the parent or other individual has been granted a guardianship of the adult student under Texas Estates Code, Title 3. The notice must include the information required above. This notice is separate and distinct from the requirement that, beginning at least one year before the student reaches the age of 18, the student's IEP include a statement regarding transfer of parental rights.

If a student with a disability or the student's parent requests information regarding guardianship or alternatives to guardianship, International Leadership of Texas shall provide the student or parent information and resources on supported decision-making agreements under Estates Code, Chapter 1357.

Following a transfer of rights, International Leadership of Texas must provide any notice required by IDEA to both the adult student and the parent. However, a notice of an ARD Committee meeting does not constitute an invitation to, or create a right for, the parent to attend the meeting; and prior written notice given to an adult student and parent does not create a right for the parent to consent or participate in the proposal or refusal to which the notice relates. The adult student

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or International Leadership of Texas may invite individuals who have knowledge or special expertise regarding the adult student, including the parent, to be a member of the ARD committee.

*34 CFR 300.520; Tex. Educ. Code § 29.017(a), (c), (c-1), (c-2); 19 TAC 89.1049(c), (d).*