

Monthly tips and resources featured in **What's Next?** are created for young adults, their families, and supporters who are exploring options for life after high school in Indiana.

## When You Turn 18

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If you are a 17-year-old student attending an Individualized Education Program (IEP) case conference, did you know that Indiana law requires schools to mention “Transfer of Rights” at the conference? Transfer of Rights occurs when you turn 18 and is sometimes called the age of majority. This means you have access to the rights and responsibilities of an adult when you turn 18. Are you ready?



When you turn 18, you have the right to vote, marry, obtain a credit card, consent to medical treatments, make living arrangements, sign contracts, and more. Don't let this important change come as a surprise to you or your parents. Be prepared for that IEP conference because decisions made then can affect your choices for a lifetime!

Schools must inform students that they will assume the rights formerly assigned to their parents unless a guardian or an educational representative has been appointed. The law assumes that you can make your own decisions, and only a court can determine otherwise. When you turn 18, you become your own legal guardian! This regulation does not apply to students who have been determined to be “incompetent” under state law.

When the Transfer of Rights occurs (when you turn 18), your parents will no longer have the right to:

- receive notice of and attend IEP meetings;
- consent to reevaluation;
- consent to change of placement; or
- request for mediation or a due process hearing to resolve disputes.

This doesn't mean parents can no longer be involved— **it simply means you must invite them.** Many of the decisions you make now can affect your quality of life after high school,

so it is important to keep parents as supporters, and doing so does not require you give parents guardianship.

In other words, you have options! It is important to know your options, discuss them with people you trust, and arrive at a decision before the case conference. Neither you nor your parents should feel pressured to seek guardianship.

## One Size Does Not Fit All

You have many available options and guardianship is only one of them. Even if you need a lot of support due to your disability and will need help making decisions, you should know your options. Courts do not want to limit your rights if there is a choice that makes sense.

Here are a few of your choices:

1. **Supported Decision Making:** This option lets you identify supportive people to give you information about your choices and help you make choices. You ask people to be on your team and they give you support so that you can keep your adult rights.
2. **Power of Attorney:** You give this to your parents if you want them to continue to make decisions for you and give informed consent. This can be over financial decisions, medical decisions, or both.
3. **Advance Medical Directives:** You give this power to someone else (you select the person) to make medical decisions for you when you are unable to.
4. **Guardianship:** Only a court can give someone else guardianship over you. This gives someone else the right and authority (and duty) to care for your personal and property interests. You might have an opinion, but the guardian makes the decisions.
5. **Conservatorship:** Only a court can give this to another person. This gives someone else control and responsibility for your money and assets.

## Resources

- [Centers on Disease Control and Prevention](#)
- [PACER: Prepare Your Child for Age of Majority and Transfer of Rights](#)
- [Learn About Supported Decision-Making \(SDM\)](#)
- [Indiana Disability Rights. Protect Your Rights.](#)
- [Get Started with Supported Decision Making](#)
- [Resources: Indiana Disability Rights](#)

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*What's Next?* is a project of the Center on Community Living and Careers and the Indiana Department of Education.

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