

## Age of Majority: Rights and Responsibilities

When a person reaches the age of majority they have legally become an adult. The Code of Virginia states “a person shall be an adult, shall be of full age, and shall reach the age of majority when he becomes 18 years of age” (Age of Majority, 1972). Until the age of majority, a person is considered a minor, and their parents or legal guardians are responsible for their rights and responsibilities. Some of these rights and responsibilities include voting, entering into a binding contract, and registering for military selective service (males). The transfer of rights happens automatically and requires no special action, but preparing in advance for this transition can assist all parties as the student reaches the age of majority.

### What Students with Disabilities Need to Know

---

For students with disabilities, a few additional responsibilities take effect on their 18th birthday. Once at the age of majority, students with disabilities become responsible for their own educational decisions, including all the rights and responsibilities related to the IEP. At least one year before the student turns 18, schools must notify students and families and document this transfer of rights at the age of majority (Transfer of Rights to Students who Reach the Age of Majority, 2009).

Some of the rights and responsibilities assumed by the student at the age of majority include:

- The right to be notified of and attend IEP meetings.
- The responsibility to be knowledgeable about their disability and school services.
- The right to sign consent for the IEP.
- The right and responsibility to make decisions about educational and IEP programming.

The age of majority provision doesn't exclude the parent from the special education process. The school continues to invite parents of the adult child to the IEP meeting as interested parties. However, the adult child can choose to exclude them.

## Tips for Educators

---

To prepare for the transition of rights at the age of majority, both the student and parents will need guidance. Here are a few tips for educators to prepare students for this transition.

- Before the student turns 17, notify students and families of the age of majority and transfer of rights. Document the notification in writing.
- Teach students about the IEP process, and involve them in IEP development and meetings.
- Role-play with students on how to participate in their IEP meetings.

## Tips for Families

---

Families also have a role in preparing students as they reach the age of majority. Here are a few tips for families to consider as rights and responsibilities transfer from them to their child.

- Encourage your child's self-advocacy and self-determination by involving them in decision-making at an early age.
- Advocate for their involvement in their IEP and reevaluations for special education eligibility starting when they are young.
- Talk to your child about the transfer of rights and what this means for them.
- Explore supported decision-making if you anticipate your adult child will need assistance with educational decisions.

## Conclusion

---

Reaching the age of majority can be an exciting and challenging time for students with disabilities and their families. Preparing for these new rights and responsibilities can assist with a smooth transition to adulthood for students with disabilities. Share this information and suggestions with families, educators, and students to ready them for the student's future adult life.

## References

---

Age of Majority, Va. Code. § 1-204. (1972).

Transfer of Rights to Students who Reach the Age of Majority, Va. Administrative Code. 8VAC20-81-180. (2009).