



Ayer Shirley Regional School District

115 Washington St.
Ayer, MA 01432
Phone: (978) 772-8600

Office of Special Education

PROCEDURES FOR IMPLEMENTATION OF AGE OF MAJORITY AYER-SHIRLEY REGIONAL SCHOOL DISTRICT

1. At the annual review team meeting **one year prior to the student turning 18 years old**, the district must discuss the Age of Majority with the student and parent and provide the student and parent with a Notice of Procedural Safeguards.
 - a. Include in the N1 from the team meeting a statement that the Notice of Procedural Safeguards was provided to the student and parent at the meeting and the team discussed Age of Majority including the rights that will transfer to the student at that time.
 - b. If both the parent and student are not in attendance at this meeting, e-mail the notice of procedural safeguards to the parent and student with a cover letter that states the student will assume all of the rights described in the Notice of Procedural Safeguards when the student turns 18 years old.
2. The discussion at the team meeting held one year prior to the student turning 18 must include the following:
 - a. In Massachusetts, students are considered adults and competent to make their own decisions at age 18 (Age of Majority.)
 - b. All rights with regards to special education will transfer to the student at that time **unless** there is a court appointed guardian or the student has chosen to delegate or share decision making with his or her parent.
 - i. If neither of these options apply and the student maintains his or her own decision making, the parent will continue to receive the required notices from the district and will have the right to inspect the student's record.
 - c. Explain to the student and parent the options for decision making for when the student turns 18 years old:
 - i. The student may share decision making with his/her parent or other willing adult;
 - ii. Or, the student may delegate decision making to his/her parent or other willing adult.
 - d. Include in the IEP developed for the 17 year old student the following statement: *Ayer-Shirley Regional School District has provided the student with a copy of the Notice of Procedural Safeguards and has explained the transfer of special education rights that will occur when student is 18 years of age.*
3. Execution of the Age of Majority decisions and reissuance of the IEP must take place on the Student's 18th birthday.



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4. Prior to the student turning 18, contact the student with a cc to the parent to schedule a time with the student on the date of the student's 18th birthday to execute the Age of Majority paperwork. If the birthday falls on a weekend or during a school vacation, be sure to schedule to schedule the meeting within the first week back at a mutually agreeable date thereafter. If the team facilitator is having difficulty getting the student in to execute the paperwork, document the attempts to schedule and inform the Director of Special Education.
 - a. If the student chooses to share or delegate decision-making, the choice must be documented and witnessed by a representative of the school district.
 - b. Review with the student that he/she may revoke the decision to share or delegate at any time.
 - c. If there is any disagreement related to special education decision-making, the choice of the adult student prevails unless the parent has retained full decision-making.
5. For an adult student with full or shared decision making, the team facilitator must obtain consent from the student to continue the IEP at the time of signing of the Age of Majority paperwork. Provide the student with a copy of the current IEP, signature page, and placement page for a response.
 - a. Include an N1 with the reissued IEP for the signature of the adult student that explains the district is reissuing the IEP to obtain consent from the adult student to continue the current program of special education services.
6. Do not wait until a new IEP is developed to seek consent for services from the adult student.

The Administrative Advisory SPED 2011-1: Age of Majority - Special Education is available at:
https://www.doe.mass.edu/sped/advisories/11_1.html