

## What Is Guardianship?

Guardianship is intended to assist Individuals who need guidance in making decisions in major life areas. These include educational, where to live, employment, money and finances, legal issues and medical concerns. Guardianship can be limited to educational decisions, or it can include more than one major life area.



In Ohio, if parents decide to retain guardianship after their child turns 18, they must complete an application for guardianship and submit it to their local probate court. More information about this court process is available at: [www.butlercountyprobatecourt.org](http://www.butlercountyprobatecourt.org).

In order for guardianship to be deemed necessary, the individual must be incompetent in at least one important area of his/her life, and there must be a present need for the guardianship.

More information on guardianship is available at:

- [www.disabilityrightsohio.org/faq-guardianship](http://www.disabilityrightsohio.org/faq-guardianship)

Booklets to download:

- [www.disabilityrightsohio.org/take-charge-guardianship](http://www.disabilityrightsohio.org/take-charge-guardianship)
- <http://ddc.ohio.gov/pub/guardianship.pdf>

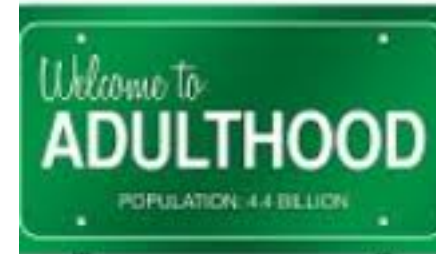
Created for the families of Middletown City School District by:

*Linda McDowell, Parent Mentor*

513-420-4620 or [lmcdowell@middletowncityschools.com](mailto:lmcdowell@middletowncityschools.com)

Web Page: [www.middletowncityschools.com/ParentMentor.aspx](http://www.middletowncityschools.com/ParentMentor.aspx)

## Age of Majority Your Rights At Age 18



**What are my educational rights?**

Age of Majority is the legal age established under state law that says a child is no longer considered a minor but an adult. For Ohio the legal age is 18. At age 18, the young adult has the rights and responsibilities to make certain legal decision and choices which adults make. All of the educational right provided to parents transfer to the student at age 18.

It can be a very exciting time for most students as the move toward the age of majority. Many of the decisions they will be making will affect the quality of their life after graduation from high school.

It is important to remember that the student becomes the primary participant in the development of their IEP (Individualized Education Program) and they have the responsibility for making decisions.



As a result students should be actively involved in setting goals and making decisions well before they reach the age of 18. It is good practice to have students run their own IEP meetings as soon as possible.

Self-advocacy skills help students communicate their needs and desires as part of an IEP meeting. Students can build self advocacy skills by allowing them to:

- Learn about their disability
- Practice goal setting
- Build teamwork skills
- Develop ability to speak up for themselves
- Participate in process of resolving differences
- Gain an understanding of their strengths and needs
- Learn how to ask for and accept help from others

The educational rights include the right to:

- ✓ Receive notice of and attend individual education program (IEP) meetings. You may also invite others to attend as well.
- ✓ Provide notice and consent for evaluation or reevaluation.
- ✓ Provide notice and consent for special education, related services and change of placement.
- ✓ Request mediation or a due process hearing to resolve a dispute about

- Evaluation
- Identification
- Eligibility
- IEP
- Placement
- Or other aspects of a Free and Appropriate Public Education (FAPE)



At age 17 a student with disabilities will be notified that at age 18, educational rights would transfer to him or her. The school and parents may offer support but the decisions remain in the control of the student.

If a parent does not think that their child will be able to make decisions regarding various aspects of their life (education, financial, medical, etc.) guardianship may be an option. If parents attain guardianship then the rights will remain with the parent and not shift to the student.