

An Ohio Educator's Guide to Supported Decision-Making

Centering student voice. Supporting families. Informing choices.

This guide provides Ohio educators with information and tools to help students and families consider decision-making options as students approach adulthood. It explains what changes at age 18, presents the range of available options, and offers guidance for informed conversations. The guide provides general information and does not constitute legal advice.

1. The educator's role

Educators play an essential role in preparing students for adult life. They can help students and families consider decision-making options before choices feel urgent. Guardianship and less restrictive alternatives often receive focused attention only as age 18 approaches, but starting the conversation earlier gives families time to make informed choices and students time to build decision-making skills. IEP teams can support this work through existing transition-planning and IEP practices.

2. Age of majority: Key points for educators

In Ohio, a young person reaches the age of majority at 18 and becomes their own legal decision-maker unless a court appoints a guardian.¹

Rights at age 18

- Special education decisions and IDEA procedural safeguards²
- Education-record rights under FERPA³
- Health-care decisions and access to health information⁴
- Financial and contractual decisions
- Housing and employment decisions

What schools must do

- By the student's 17th birthday, include the required transfer-of-rights statement in the IEP and ensure the student and parent are informed of the IDEA rights that will transfer at 18.⁵
- At 18, notify both the student and parent that the IDEA rights have transferred.⁶
- After transfer, obtain any required consent from the student rather than the parent.⁷

Key terms

Age of majority — The age at which a person becomes an adult with the legal right to make their own decisions. In Ohio, this is 18.

Procedural safeguards — Rights under IDEA that protect students and families, including consent, prior written notice, and dispute resolution.

Less restrictive alternative — An arrangement or legal option that meets the person's needs while leaving the person more control over their own decisions than guardianship would.

Guardianship — A probate court may find a person legally incompetent if, because of a mental impairment, the person is unable to properly care for themselves or their property.⁸ The court then appoints a guardian to make decisions in the areas the court authorizes.

Common misconceptions

What families often hear	What to know
"Nothing changes legally at 18."	At 18, the student generally becomes their own legal decision-maker.
"Guardianship is the only option."	Less restrictive options can offer protection and support while the person keeps making their own decisions.
"Schools won't talk to us anymore."	Parents continue to receive required IDEA notices and, with the student's consent, can also continue receiving education-record information. ⁹
"Supported decision-making is too risky."	Safeguards can be built in — such as choosing trusted supporters, defining their roles, and documenting the arrangement.
"We have to decide by 18."	Ohio law does not require a guardianship application to be filed by age 18. Families may continue exploring alternatives and seek guardianship later if circumstances show that it is needed.

3. Who decides? Options for decision-making support

No single approach is right for everyone. The best fit depends on the person's needs, preferences, and circumstances. A person may use more than one approach and may want different kinds of support for different decisions.

Key point: Having an IEP or needing significant support does not, by itself, mean guardianship is needed.

Supported Decision-Making (SDM)

The person makes their own decisions with help from people they trust. Support may occur naturally within relationships or be more intentionally planned.

The person decides.

Decision-Making Support Documents

Documents can allow another person to receive information, communicate on the person's behalf, or act in a particular area. Examples include releases of information, powers of attorney, and written authorization for an adult to make DD-services decisions (called an Authorized Decision Maker).¹⁰

The person gives someone permission to help or act.

Guardianship

A probate court appoints a guardian and determines which decisions the guardian is authorized to make. The guardian may have authority over personal matters, financial matters, or both, and that authority may be limited to certain decisions.¹¹

The court gives a guardian authority to decide.

For more information about these options, see *Supported Decision Making and Guardianship* under Highlighted resources.

4. Understanding supported decision-making

In supported decision-making, the person keeps the right to decide and chooses who helps them. The idea is familiar: most adults consult people they trust, such as a family member about a major purchase, a friend about a job change, or a doctor about treatment, and then decide for themselves. SDM can work in this same familiar way or involve more intentional planning; either way, the person ultimately decides for themselves.

Supporters may help the person:

- Understand information and options
- Consider possible outcomes
- Ask questions or gather information
- Communicate a choice

Supporters may include family members, friends, mentors, teachers, coaches, clergy, or neighbors.

How SDM differs from guardianship

	SDM	Guardianship
Who makes decisions?	The person.	The guardian, in areas the court authorizes.

	SDM	Guardianship
Who selects the supporter or guardian?	The person chooses their supporters.	The court appoints the guardian.
How is it established?	Informally or in writing.	Through a court proceeding.
How can it change or end?	The person can change or end it at any time.	Only by court order. ¹²

Even with these differences, one principle remains: in Ohio's DD system, every person has the right to participate in decisions that affect their life, including people who have guardians.¹³

5. Supporting decision-making through the IEP

Key point: Self-determination is built through practice, not conferred on a student's 18th birthday.

IEP component	Where decision-making fits
Transition assessment and present levels	Identify the student's decision-making preferences and the areas where more independence or support is desired. For decisions involving daily routines, health care, money, housing, and work, ask what type of help the student wants and whom they want involved, recognizing that preferences may vary by area.
Annual IEP goals	Write measurable goals that build self-advocacy and decision-making skills, such as making choices, weighing options, speaking up, or asking for help.
Transition services	Teach decision-making through repeated opportunities to make real choices in authentic settings — school, work, community, and daily life — including safe opportunities to learn from natural consequences. Conversations about decision-making options can themselves be documented as transition services.
Student participation	Prepare the student to participate meaningfully in or lead parts of the IEP meeting. The student might describe strengths and goals, explain supports that work, identify trusted supporters, ask questions, or express agreement or concerns.

6. Putting SDM into practice

- Let the student's preferences guide the conversation.
- Use the student's preferred communication method and provide information in an accessible form.
- Document the student's preferences, trusted supporters, agreed supports, resources shared, and next steps.
- Present options neutrally and do not recommend a specific legal option.
- Direct legal questions to an attorney or Ohio Legal Help.
- Revisit the conversation as the student's preferences, needs, and circumstances change.

Questions to ask the student

- Who do you trust to help you make decisions?
- What decisions do you want to make more independently?
- What decisions would you like more help with?
- What kind of help works best for you, such as explaining information or comparing choices?
- How do you prefer to receive information and communicate your choices?
- Who would you like involved in different kinds of decisions? Are there people you do not want involved?

Questions for the IEP team

- What does transition assessment show about the decisions the student wants to make and the help they want?
- What supports are already in place, and what gaps exist?
- What decision-making and self-advocacy skills will help the student work toward their postsecondary goals?
- Where can the student practice making real choices?
- What next steps, resources, or adult-agency connections are needed, who will be responsible, and when will the team revisit them?

7. Resources to share with students and families

Educators are often among the first professionals to provide students and families with information about guardianship and less restrictive alternatives. Pointing them to a specific publication is more helpful than simply telling them that information is available. Recommend the Ohio resources below by name. All are free, and most are written in plain language for students and families.

Highlighted resources — Start here

[Supported Decision Making and Guardianship](#)

Ohio Developmental Disabilities Council, 2024 (Philipps & Graham)

Plain-language explanations of supported decision-making, decision-making support documents, and guardianship.

Available at: ddc.ohio.gov

[Supported Decision Making and Transition Toolkit](#)

Disability Rights Ohio, 2026

Transition information for students and families covering education, health care, DD services, finances, and employment. Includes forms students age 18 or older may use to keep a parent or advocate involved in education and IEP planning.

Included forms: Consent for Continued Advocate Involvement in Education/IEP, pp. 16–17; FERPA Consent to Release Student Information, pp. 18–19.

Available at: disabilityrightsohio.org/sdm

Additional Ohio resources

Disability Rights Ohio

Rights information, advocacy tools, and legal assistance.

disabilityrightsohio.org/sdm

Ohio Department of Developmental Disabilities

SDM Toolkit and Help Desk, plus a county board locator. County boards are the local entry point for DD services — eligibility, service planning, and a service and support administrator.

dodd.ohio.gov — Search “SDM Toolkit” or “find your county board”

Ohio Developmental Disabilities Council

Additional guides on decision-making supports and financial planning, including Spanish-language materials and free printed copies.

ddc.ohio.gov

Ohio Legal Help

Plain-language information on guardianship and less restrictive alternatives, plus a directory for finding legal aid or a local lawyer referral service.

ohiolegalhelp.org

Supported Decision-Making Network of Ohio

Resources for families, professionals, and self-advocates, including Ohio survey findings on decision-making and guardianship.

sdmno.org

Supreme Court of Ohio

Adult Guardianship Education Program. Training and materials on Ohio guardianship law and probate procedure.

supremecourt.ohio.gov — Search “adult guardianship”

National resources

Center for Public Representation

Rights-based SDM guidance and legal advocacy resources.

centerforpublicrep.org — Search “supported decision-making”

Charting the LifeCourse

Framework tools and worksheets for planning across life domains, including a set focused on supported decision-making.

lifecoursetools.com — Search “supported decision-making”

National Resource Center for Supported Decision-Making

Tools, examples, and national guidance.

supporteddecisionmaking.org

The Arc

SDM agreements, family guides, and advocacy resources.

thearc.org — Search “supported decision-making”

Legal references

- ¹ Age of majority in Ohio: Ohio Rev. Code § 3109.01. Appointment of a guardian for an adult: Ohio Rev. Code § 2111.02(A).
- ² Transfer of rights under IDEA at the age of majority: 34 C.F.R. § 300.520(a)(1)(ii); Ohio Admin. Code 3301-51-05(D)(2)(a).
- ³ Transfer of FERPA rights to the eligible student: 34 C.F.R. § 99.5(a).
- ⁴ Health-care decision-making at the age of majority: Ohio Rev. Code § 3109.01. Health-information privacy, access, and personal representatives: 45 C.F.R. §§ 164.502(g), 164.524.
- ⁵ Statement in the IEP that rights will transfer: 34 C.F.R. § 300.320(c); Ohio Admin. Code 3301-51-05(D)(1); 3301-51-07(E)(3).
- ⁶ Notice to the student and the parent that rights have transferred: 34 C.F.R. § 300.520(a)(3); Ohio Admin. Code 3301-51-05(D)(2)(c).
- ⁷ IDEA rights, including consent, transfer to the student: 34 C.F.R. § 300.520(a)(1)(ii); Ohio Admin. Code 3301-51-05(D)(2)(a).
- ⁸ Definition of "incompetent" for adult guardianship: Ohio Rev. Code § 2111.01(D).
- ⁹ Required notices continue to the parent after transfer: 34 C.F.R. § 300.520(a)(1)(i). Disclosure of education records with the eligible student's consent: 34 C.F.R. § 99.30.
- ¹⁰ Decision-making regarding DD services and written authorization of an adult: Ohio Rev. Code § 5126.043(A)–(B); Ohio Admin. Code 5123-4-02(C)(2)–(3).
- ¹¹ Appointment and scope of adult guardianship: Ohio Rev. Code §§ 2111.02(A), (B)(1) and 2111.50(A)(2)(a).
- ¹² Modification or termination of an adult guardianship: Ohio Rev. Code §§ 2111.47, 2111.49(B)–(C).
- ¹³ Right to participate in decisions, including for an individual who has a guardian: Ohio Rev. Code § 5126.043(D); Ohio Admin. Code 5123-4-02(C)(1).

Disclaimer. Citations are provided for reference only. This guide provides general information and does not constitute legal advice.

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