Foster Care Policy and Plan

Nevada State Public Charter School Authority

Oasis Academy

2026 - 2027

Board Approved 9-16-26

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2 About Oasis Academy

Oasis Academy is a K-12 public charter school located in a rural community in Fallon, NV. The current student population is at 849. The elementary school is rated 4 stars, and the middle and high schools are rated 5 stars.

2.1 School Mission Statement

Oasis Academy mission is “Improving lives through opportunity”.

2.2 School Vision Statement

Core Belief- We believe in the inherent worth and potential of each human and in the life changing power of learning.

2.3 School Website and School Performance Plan

For additional information about the Oasis Academy, please refer to the website at oanv.org.

You may also wish to review the School Performance Plan:
https://drive.google.com/drive/folders/1jjiI8mwozPldJG6lK64zLAqq-yEcdII2

3 Introduction

This manual serves as a reference for Oasis Academy regarding the topic of Foster Care.

3.1 Purpose

The purpose of the Foster Care Policy and Plan is to define procedures and specify program elements ensure equal participation in all education programs for Foster Care students. An effective policy, plan, and program, ensures that all students have been provided with the necessary support and have been given the opportunity meet all requirements for high school graduation.

3.2 Legal Requirements

Nevada’s Assembly Bill (AB) 491 of 2017 describes educational legal requirements for students in foster care that are codified in Nevada Revised Statute (NRS) Chapter 388E. Additionally the Every Student Succeeds Act (ESSA) of 2015 (20 U.S.C. § 6311) led to states being required to have procedures for children in foster care to remain in their school of origin.

Programs must be in compliance with NRS Chapter 385 and NRS Chapter 388 and the components that govern public schools, along with NRS chapter 388A which are the provisions that govern charter schools. Nevada’s Senate Bill (SB) 147 (2019) resulted in additional provisions for homeless, unaccompanied, and foster care pupils that are codified in NRS388.205, NRS388A.489, and NRS389.320.

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records is also referenced in this manual.

3.3 Board Approval

3.3.1 Board Approval

Each SPCSA school is required to have the Foster Care Policy and Plan approved by their school board.

This manual was approved on: 9-16-26.

3.3.2 Stakeholders

The following stakeholders participated in the review and approval process of this plan:

- Andy Lenon: Director of Student Success
- Shannon Garcia: Vice Principal
- Jami Rowlett: Vice Principal
- Tori Sleight: K-12 School Leader

3.4 Description

This manual contains information regarding:

- Definitions relevant to Foster Care
- Information regarding School of Origin and Best Interests Determination
- Enrollment
- Identification and Tracking of Foster Care Students
- Transportation
- Foster Care Liaison
- Educational Records and Confidentiality
- Full or Partial Credit Requirements
- References
- Links

3.5 Definitions and Acronyms

Throughout this manual you will encounter a variety of terms that are relevant to this process. Additionally, some items may be referred to using acronyms. Please review the following items to familiarize yourself with the terminology and acronyms used throughout this manual.

- Best Interests Determination:
    - When a child enters foster care or changes placement while in foster care, the agency which provides child welfare services to the child shall determine whether it is in the best interests of the child for the child to remain in his or her school of origin. In making this determination, there is a rebuttable presumption that it is in the best interests of the child to remain in his or her school of origin (NRS 388E.105)
- Every Student Succeeds Act (ESSA):
    - is the federal K-12 education law of the United States. ESSA was signed into law in 2015 and replaced the previous education law called “No Child Left Behind.” It is a reauthorization of the Elementary and Secondary Education Act (ESEA) of 1965.
- Family Educational Rights and Privacy Act (FERPA):
    - The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. Additional information about FERPA may be reviewed at https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html.
- Foster Care:

- Based on NAC 432B.017, the term "foster care" means any out-of-home placement of a child. The term includes:
  1. The placement of a child into:
     (a) A family foster home, as that term is defined in NRS 424.013;
     (b) A group foster home, as that term is defined in NRS 424.015; or
     (c) Any other similar institution having the appropriate qualifications and facilities to provide the necessary and desirable degree and type of care to the child.
  2. The placement of a child with a relative other than the relative who had a legal responsibility for providing a home for the child before the child was placed into the custody of the agency which provides child welfare services.
  3. An independent living arrangement approved by the agency which provides child welfare services in accordance with NAC 432B.410, made by the agency which provides child welfare services for a child in the custody of the agency which provides child welfare services pursuant to NRS 127.050 or 432B.550, or for whom the agency which provides child welfare services is responsible pursuant to NRS 432B.360. (Added to NAC by Div. of Child & Fam. Services by R221 97, eff. 6 5 98; A by R045 02, 7 23 2002)

- Infinite Campus (IC):
  - Infinite Campus is the Student Information System (SIS) used by all public schools in Nevada.
- Nevada Department of Education (NDE):
  - The Nevada Department of Education or NDOE, autonomous of the governor and the Nevada State Legislature, administers primary and secondary public education in the state of Nevada.
- Nevada Revised Statute (NRS):
  - The Nevada Revised Statutes are all the current codified laws of the State of Nevada. Nevada law consists of the Constitution of Nevada and Nevada Revised Statutes.
- Participating school:
  - A charter school that is sponsored by the State Public Charter School Authority.
- School of Origin:
  - The public school in which a child was enrolled at the time that the child was placed in foster care or the school in which a child who is in foster care is enrolled at the time of the most recent change in the placement of the child.
- State Public Charter School Authority (SPCSA):
  - The State Public Charter School Authority (SPCSA) authorizes public charter schools across Nevada and is responsible for the oversight and monitoring of those schools to ensure positive academic outcomes for students and strong stewardship of public dollars.
- US Department of Education (USED):
  - The U.S. Department of Education is the agency of the federal government that establishes policy for, administers, and coordinates most federal assistance to education.

4 School of Origin and Best Interests Determination

The school of origin is the public school in which a child was enrolled at the time that the child was placed in foster care or the school in which a child who is in foster care is enrolled at the time of the most recent change in the placement of the child.

When a child enters foster care or is moved to a new foster home, a best interests determination is conducted to determine if the student should remain in the school of origin or enroll in a different public school. The best interests determination should occur in conjunction with the relevant schools (school of origin and potential new school), the SPCSA foster care liaison, and the local family services agency to determine the appropriate placement.

Per NRS 388E.105 (2):

In determining whether it is in the best interests of a child in foster care to remain in his or her school of origin, the agency which provides child welfare services, in consultation with the local education agency and the educational decision maker appointed for the child pursuant to NRS 432B.462, must consider, without limitation:

(a) The wishes of the child;
(b) The educational success, stability and achievement of the child;
(c) Any individualized education program or academic plan developed for the child;
(d) Whether the child has been identified as an English learner;
(e) The health and safety of the child;
(f) The availability of necessary services for the child at the school of origin;
(g) Whether the child has a sibling enrolled in the school of origin; and
(h) A plan for the continued education of the child, developed pursuant to NRS 432B.60847, if the child is admitted to a psychiatric hospital or facility which provides residential treatment for mental illness.

The costs of transporting the child to the school of origin must not be considered when determining whether it is in the best interests of the child to remain at his or her school of origin.

Once the best interests determination has been conducted, if a dispute arises regarding the placement, the local family services agency will make the final decision regarding the child's school which will be subject to court approval if any party objects.

Additionally, upon exit from foster care, the child may remain in the school of origin until the child enters a grade level that is no longer served by the school, or reaches an age where they are no longer eligible to attend the level of school.

5 Enrollment

5.1 Immediate Enrollment

In accordance with subsection 2 of NRS 388A.453, when it is determined that it is in the best interests of the child to change schools, immediate enrollment means the school's legal requirement to immediately enroll the child into the new school regardless if the new school has received all the child's educational records; school transfer records, immunization records or any other unmet educational or academic requirements. Enrollment for a child in foster care cannot be denied or delayed. The enrolling school shall immediately contact the school of origin to obtain relevant academic and other records and those records will be promptly transferred.

5.2 Recording Foster Care Status in Infinite Campus

Foster Care status will be recorded in Infinite Campus by the Registrar.

Foster Care students must be correctly entered in Infinite Campus for a variety of purposes including grant eligibility and desktop monitoring. SPCSA must be able to accurately obtain data regarding the numbers of Foster Care students for reporting to NDE via Infinite Campus. Please use the instructions below to accurately identify Foster Care students in Infinite Campus.

1. In the Campus Tools menu on the "Index" tab, choose "Student Information" then click "Program Participation", then choose "Foster Care" from the index that appears.
2. Locate the student using the search tab.
3. Once you have pressed "Go" to locate the student, press "New" to enter the information for the Foster Care student. You must enter:
    - Placement type

- "Start Date"
- "End Date" should be entered if available from the department of family services if the expected end date is known. If the student exits foster care status during the school year, you should update the end date when notified.
- Enter the social worker name.
- Enter the school name for the "Owner".

4. Return to the "Index" tab and select "General". It will display the student "Summary" tab. Click the "Flags" tab.
5. On the "Flags" tab, press the "New" button to add the Foster Care flag for the student. You should enter a "Start Date" and "End Date".

6 Identification and Tracking of Foster Care Students

6.1 Identification

Students are identified through SRQ and data tracking through Infinite Campus.

6.2 Tracking of Foster Care Students

Our foster care students meet continuously through the year with school counselors. We have continued monitoring of students and staying in communication with stakeholders through the year to provide updates. Academic plans are kept on students, guardian and teacher conferences are held throughout the year.

6.3 Data Validation

The school's designated liaison will be responsible for preparing the data reports. The liaison will gather relevant information about foster care students, such as enrollment status, attendance records, and academic performance. The Foster Care Liaison may collaborate with various stakeholders within the school to collect the necessary data. This may involve communicating with teachers, counselors, administrators, and other relevant staff members.

7 Transportation

Transportation procedures are determined according to the current Memorandum of Understanding (MOU)/Interlocal agreements with the local family services agencies in the state of Nevada.

In addition to ESSA and Fostering Connections, NRS Chapters 388 and 388E provides guidance on addressing school transportation in the rural school districts. The SPCSA, each participating school and the local family service agency will regularly monitor compliance with ESSA, the Fostering Connections Act, state law and this Memorandum of Understanding.

8 Foster Care Liaison

Every school is required to have a Foster Care Liaison. It is the job of the Liaison to ensure that foster care students have the same opportunities as all other students, which includes ensuring that foster care students are able to attend school, arranging for transportation in a timely manner, keeping the school staff informed of the rights of foster care students, communicating with the parents/guardians of foster children and youth, and communicating with the local family services agency.

The foster care liaison may communicate and provide information through a variety of methods including but not limited to:

- Email.
- Phone.
- Professional Development for school staff.
- Informational materials such as flyers and posters regarding the rights of foster care students.
- Distribution of internet-based resources regarding foster care matters.

The foster care liaison at our school is:

Andy Lenon
775-423-5437
alenon@oanv.org

9 Educational Records and Confidentiality

The policies for sharing educational records and confidentiality for students in foster care are determined according to the current Memorandum of Understanding (MOU)/Interlocal agreements with the local family services agencies in the state of Nevada.

In January 2013, Family Educational Rights and Privacy Act (FERPA) was amended in the U.S. Department of Education through the enactment of the Federal Uninterrupted Scholars Act (USA). The USA made key revisions to FERPA that permits educational agencies to disclose a student's education records, without parental consent, to a caseworker or other representatives of child welfare agencies.

9.1 Local Family Service Agency Request of Education Records:

The local family service agency caseworker requesting the records will provide a badge identifying the caseworker as a local family service agency employee and proof of custody of the student with the one of the following:

- A written notification on the local family service agency letterhead indicating that the agency has legal custody or is otherwise legally responsible for the care and protection of the child or
- A court order.

9.2 Local Family Service Agency Use of Educational Records:

The manner in which the local family service agency may use a child's education records, including, without limitation, electronic education records maintained by the school and/or Participating School:

- To ensure the child's education needs are met.
- Effectively implement a child's case plan.
- Maintain the child's educational stability.
- Provide services to address a student's educational needs.
- Monitor a child's educational outcomes and promote success.

9.3 Student Confidentiality

Consistent with the MOU/Interlocal and with state and federal law, the SPCSA, each Participating School and the local family service agency shall protect confidential information from re-disclosure unless specifically authorized by state or

federal law. The SPCSA, each Participating School and the local family service agency shall report any unauthorized releases of exchanged data to the other party and cooperate in taking appropriate corrective action.

The local family service agency, the SPCSA and each participating school acknowledge that each entity has a legal obligation to maintain the confidentiality and privacy of student records and information identifying a student or child being in foster care. Parties agree to maintain compliance with the Uninterrupted Scholars Act, FERPA and with any other federal and state laws protecting the rights of children who are in the protective custody of a child welfare agency. the local family service agency, the SPCSA and each participating school agree to safeguard all such information.

9.4 Designation of the local family service agency as School Official

In accordance with the Family Education Rights and Privacy Act (FERPA) (20 U.S.C. §1232g and 34 C.F.R Part 99), the Participating School shall designate the local family service agency as a School Official.

10 Full or Partial Credit Requirements

Nevada's Senate Bill (SB) 147 (2019) resulted in additional provisions for homeless, unaccompanied, and foster care pupils that are codified in Nevada Revised Statute (NRS) 388.205, NRS388A.489, and NRS389.320.

Per this legislation, schools may not deny homeless students or unaccompanied youth credit for a course due to attendance. Regardless of the number of hours of classroom instruction, students should still receive credit for the coursework that has been satisfactorily completed. Evidence that may be considered in determining how much credit should be awarded for the coursework may include:

(a) Demonstration of competency by a pupil;
(b) Performance by a pupil on an examination;
(c) Successful completion of a program of independent study, or any part of such a program, by the pupil;
(d) Full or partial credit for coursework completed by a pupil at an accredited public or private school located within or outside of this State that is sought to be transferred;
(e) Full or partial credit for coursework completed by a pupil at a summer school conducted by an accredited public or private school or institution of higher learning located within or outside of this State that is sought to be transferred;
(f) Completion by a pupil of a correspondence or distance education course provided by a high school which is nationally accredited or by an entity which appears on the list published by the Department pursuant to NRS 388.834;
(g) Completion of an apprenticeship program by a pupil;
(h) Completion of a program by a pupil at a trade or vocational school which is accredited;
(i) Work experience of a pupil;
(j) Community service performed by a pupil; and
(k) Any other evidence or method which is determined to be appropriate by the board of trustees of a school district or sponsor of a charter school, as applicable, and approved by the Department.

Additionally, A pupil who receives partial credit for coursework or a course of study pursuant to subsection 1 or 2 must be allowed to appropriately combine the partial credit, including, without limitation, for the purposes of the total number of credits required for graduation from high school or the minimum number of units of credit required in a core academic subject pursuant to NRS 389.018.

11 References

Additional reference materials have all been linked within the text of this manual, and will be listed in "Appendix A: Links" of this manual.

12 Appendix A: Links

A variety of links have been provided throughout this manual and are listed below in the order that they appear in this manual:

- AB491 of 2017:
  - https://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB491.pdf
- NRS Chapter388E:
  - https://www.leg.state.nv.us/nrs/NRS-388E.html
- ESSA:
  - https://www.law.cornell.edu/uscode/text/20/6311
- NRS Chapter 385:
  - https://www.leg.state.nv.us/nrs/nrs-385.html
- NRS Chapter 388:
  - https://www.leg.state.nv.us/nrs/nrs-388.html
- NRS Chapter 388A:
  - https://www.leg.state.nv.us/nrs/NRS-388A.html
- NRS Chapter 388E:
  - https://www.leg.state.nv.us/nrs/NRS-388E.html
- SB147 of 2019:
  - https://www.leg.state.nv.us/Session/80th2019/Bills/SB/SB147_EN.pdf
- FERPA:
  - 20 U.S.C. § 1232g: https://www.law.cornell.edu/uscode/text/20/1232g
  - 34 CFR Part 99: https://www.ecfr.gov/current/title-34/subtitle-A/part-99?toc=1
- NRS Chapter 388E:
  - https://www.leg.state.nv.us/nrs/NRS-388E.html
- General information about FERPA:
  - https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html
- NAC 432B.017
  - https://www.leg.state.nv.us/nac/NAC-432B.html#NAC432BSec017