

# PROPOSED REGULATION OF THE STATE BOARD OF EDUCATION

## LCB File No. R037-14

State Board of Education  
Proposed Regulation: School Choice for Children in Foster Care

Authority: NRS 392B.100 – State Board shall adopt regulations prescribing the processes for a program of school choice for children in foster care.

**NAC Chapter 392B is hereby amended by adding new language as follows:**

- 1. The legal guardian or custodian of a child may submit to the Department an application to participate in the Program in the manner and on a form prescribed by the Department, and must include, without limitation:
  - a. the name, age, and current grade level of the child;*
  - b. indication of whether the child has an individualized education plan (“IEP”);*
  - c. the name of the public school in which the child is enrolled, if applicable;*
  - d. the name of the school in which the legal guardian or custodian of the child wishes to enroll the child;*
  - e. a statement describing the reason for requesting that the child participate in the Program and how it would be in the best interests of the child for the child to participate in the Program; and*
  - f. a statement affirming the child is eligible for the Program.**
- 2. Upon receipt of an application pursuant to subsection 1, the Department shall notify the school district in which the child resides and the school district in which the child wishes to enroll, if applicable, that an application to participate in the Program has been submitted on behalf of the child.*
- 3. Upon receipt of the notification pursuant to subsection (2), the board of trustees of the school district in which the child resides and the board of trustees of the school district in which the child wishes to attend school, or their designated representatives, if applicable, shall complete a form prescribed by the Department addressing whether the grant or denial of the application would be in the best interests of the child.*
- 4. In coordination with the board of trustees of the school district in which the child resides and the board of trustees of the school district in which the child wishes to attend school, or their designated representatives, if applicable, and upon consideration of the application submitted pursuant to subsection (2) and the forms submitted pursuant to subsection (3), the Department shall consider the best interests of the child and determine whether to grant the application.*