Procedure for Determining Guardianship

The following are the only scenarios when guardianship should be marked in IC. All court documents must be issued in Nevada. All court documents must be scanned into the legal documents folder in OnBase.

1. Temporary Guardianships from out of state or country are not valid in Nevada, unless they have gone through the Nevada domestication/registration process, at which point the Nevada Court will issue a Nevada Order:
	1. Anyone presenting out of state or country temporary guardianship paperwork should be notified that the child will be conditionally enrolled.
	2. A person who wishes to be guardian must get Nevada temporary guardianship paperwork completed within 30 school days or provide proof that the Nevada paperwork is in progress. The child will be excluded from attendance at the end of thirty days (exceptions can be provided by Student Accounting).
2. The birth parents named on the birth certificate should always be marked guardian unless legal paperwork is in OnBase that says one or the other’s *legal* custody rights (as opposed to physical custody rights) have been taken away.
	1. Legal Flag should read, “Name of Mother or Name of Father legal rights have been revoked. Legal documents on file.”
	2. Court order must be scanned into OnBase. If a newer document supersedes one already in OnBase, the older document must be deleted from OnBase. Contact Student Accounting to delete older documents.
3. Court order such as adoption or transfer of legal guardian:
	1. Legal Flag should read, “Name of Permanent Guardian Permanent Guardianship paperwork on file.”
	2. In the cases of adoption: Inform adoptive parents they must get a new birth certificate.
	3. All court orders must be scanned into OnBase. If a newer document supersedes one already in OnBase, the older document must be deleted from OnBase. Contact Student Accounting to delete older documents.
4. Birth Certificate: A parent on the birth certificate is identified as guardian unless there is a court order terminating or suspending the parental rights. A new birth certificate is not required. This means that if the mother is listed on the birth certificate and you have a court order revoking or suspending her legal rights, she is NOT listed as a guardian. A new birth certificate is not needed.
	1. Only those appearing on the birth certificate can be indicated as “mother” or “father”. However, in most cases, under FERPA and Nevada law, birth parents maintain rights to educational records even after their legal custody has been revoked or suspended. For this reason, regardless of legal custodial status, birth parents should always remain on the panel and should have their portal boxes marked unless other guidance has been provided by the Office of the General Counsel.
	2. Adoptive parents must present a new birth certificate. Guardianship is granted when the court order is presented. All birth certificates must be scanned into OnBase. If a newer document supersedes one already in OnBase, the older document must be deleted from OnBase. Contact Student Accounting to delete older documents.
	3. Parents whose paternity or maternity is determined, and a court order is issued or certified test results received must present a new birth certificate to be “mother” or “father” in Infinite Campus. The parent may be identified as “other” until such time as the new birth certificate is presented. Guardianship is granted when the court order is presented. The paternity/maternity court order or certified test results must be scanned into OnBase in the birth certificate folder.
	4. Legal Flag should read, “Name of Mother or Name of Father Guardianship paperwork on file.”
5. CIT students without guardians:
	1. Refer to CIT Liaison
		1. Legal Flag should read, “Unaccompanied Youth”
		2. 30 day follow-up until student is deemed CIT in Infinite Campus.
	2. Unaccompanied Youth:
		1. Mark person who is taking responsibility as the guardian in IC so that they can do Online Registration and pick up student and help the school with the education of the student. Give this person portal rights as well, by checking the portal box in IC.
		2. Create a legal flag with, “Unaccompanied Youth” to identify the status of the student.
		3. If the parent’s rights or the legal guardian’s rights have not been revoked, they become non household relationships and still have guardianship rights such as portal and records.
	3. When the parent/guardian resumes responsibility for the student please update the household, end date the flag, and remove the guardian and portal checks from the person who was not the legal guardian who previously took responsibility for the child.
6. Kids Kottage:
	1. Please refer to Kids Kottage Household Procedures.
	2. Please refer to Case Worker or Foster Worker Visits and/or Information for Students in Foster Care.
7. Step-parents and domestic partners are ***NOT*** legal guardians unless they have court documents appointing them as a legal guardian, if they have legal documents appointing them as guardian:
	1. Legal Flag should read, “Name of Step Mother, Step Father, or Domestic Partner Guardianship paperwork on file.”
	2. All court orders must be scanned into OnBase. If a newer document supersedes one already in OnBase, the document must be deleted from OnBase. Contact Student Accounting to delete older documents.
8. Emancipated Minors:
	1. Legal Flag should read, “Emancipated Minor paperwork on file.”
	2. All court orders must be scanned into OnBase. If a newer document supersedes one already in OnBase, the document must be deleted from OnBase. Contact Student Accounting to delete older documents.
9. Social Workers: Social workers must present copies of court documents to be marked as guardian. IC protocol for establishing a social worker must be used. There is no need for a legal flag as the social worker is marked with the appropriate abbreviation in IC. All court orders must be scanned into OnBase. If a newer document supersedes one already in OnBase, the document must be deleted from OnBase. Contact Student Accounting to delete older documents.
10. Foster Parents: Court documentation identifying the child is in legal custody of Washoe County Social Services must be presented. The foster parent is identified as both a foster parent and guardian in Infinite Campus. A social worker should also be identified. **Foster parents should be reviewed yearly with the social worker to make sure there has not been a change of placement**. It is possible for a natural parent to still be a guardian of a student unless the natural parent has had his/her rights removed. All court orders must be scanned into OnBase. If a newer document supersedes one already in OnBase, the document must be deleted from OnBase. Contact Student Accounting to delete older documents.
	1. Please refer to Case Worker or Foster Worker Visits and/or Information for Students in Foster Care.