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**BRIEFING MEMORANDUM**

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**TO:** SPCSA Board  
**FROM:** Patrick Gavin, Executive Director  
**SUBJECT:** Agenda Item 5 - R131-16: Newly Adopted Charter School Regulations  
**DATE:** January 26, 2018

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On December 19, 2017, Nevada’s Legislative Commission approved and adopted R131-16. These new charter school regulations make a number of changes to existing law. The changes include provisions related to multi-campus charter schools; recruitment of potential students; the use of weighted lotteries; makes various changes related to annual financial audits that charter schools must submit to its sponsor; and allows charter schools to form fund-raising committees. Some of the most significant changes imposed by R131-16 are discussed in greater detail below.

First, R131-16 expressly allows a student at a multi-campus charter school to matriculate and transfer to another campus of the same charter-holder. While this occurred in the past, R131-16 now expressly allows for this practice. Consistent with the requirements for charter school networks under the federal Charter Schools Program, the regulations provide that each campus must hold a separate lottery.

In regard to multi-campus charter schools, R131-16 also allows a charter school sponsor to amend a charter contract or a written charter to close one campus while keeping other campuses open.

R131-16 also allows a charter schools sponsor such as the SPCSA to require sponsored charter schools to submit to the sponsor a plan to recruit and enroll students comparable to the demographics where the charter school is located.

R131-16 allows a charter school to request that its sponsor limit enrollment in the charter school to the county where the charter school is located, or to adjacent counties. A sponsor may also require that a charter school abide by such limitations on enrollment.

In regard to pre-enrollment testing – essentially entrance exams – R131-16 clarifies that charter schools cannot administer any sort of entrance exam to potential students. R131-16 does make clear, however, that post-enrollment assessment testing is permissible.

Charter school sponsors may now request that charter schools submit to its sponsor any marketing materials for review and approval to ensure that the materials comply with all applicable laws and regulations regarding pupil enrollment and civil rights.

Perhaps most importantly, R131-16 now permits the use of weighted lotteries. R131-16 allows charter schools to give preference to certain students through the use of a weighted admission lottery. These groups of students include economically disadvantaged pupils, students with disabilities, migrant students, limited English language speaking students, neglected or delinquent students, and homeless students.