

## Amendment: PE1

Representative(s) **Whitmire** proposes the following amendment:

### Section 1 – H630 – Department of Education

#### New

**1.tsf.** (Charter School Transfer) Of the funds appropriated or authorized herein, a charter school that is authorized or chartered by an institution of higher education, or entity owned by or affiliated with an institution of higher education, may transfer its charter to a different authorizer provided that its current authorizer is operating under a warning of noncompliance with any core requirements or significant noncompliance of other standards or is on probation by its accrediting body for degree-granting higher education institutions. Furthermore, a charter school may apply to transfer its charter to a different authorizer if its current authorizer ceases operations. An authorizer under warning, on probation, or ceasing operation shall not demand or withhold any unspent appropriated funds held by or owed to a charter school. Furthermore, the authorizer may not charge any fees associated with the school moving to another authorizer. The receiving authorizer may deny a transfer application made under this section, and the decision of the receiving authorizer to accept or deny a transfer application is final and may not be appealed. The receiving authorizer may require a transferring school to execute a new charter school contract or amend its charter for the time remaining on them or execute new ten-year charters and contracts. The receiving authorizer is not bound by the terms or conditions of a transferring school's charter contract or charter. If a charter school ceases to operate for any reason as a result of this section, then its assets become the property of the State Department of Education immediately upon closure and the

**PROVISO SUBCOMMITTEE AMENDMENT**

*State Department of Education shall be responsible for adopting and implementing a closure protocol to ensure an orderly closure in this situation.*