

Amendment: PE2

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

Section 1 – H630 – Department of Education

New

1.cse. (Charter School Expenditures) Of the funds appropriated or authorized herein, a charter school authorizer shall not expend any state appropriated funds, or funds realized as a result of its operations, for any purposes other than those listed in Chapter 40, Title 59 of the South Carolina Code of Laws. If the Superintendent of Education discovers a violation of this provision, she may declare that the authorizer no longer has the authority to charter or authorize schools and all schools may apply to transfer to a different authorizer. Furthermore, the authorizer shall not demand or withhold any unspent appropriated funds held by or owed to a charter school that is leaving under the provisions of this item and may not charge any fees associated with the school moving to another authorizer. The receiving authorizer must agree to accept the charter school 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 the 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 State Department of Education shall be responsible for adopting and implementing a closure protocol to ensure an orderly closure in this situation.