

# Charter Holder Status Amendment Request: Change in the Entity Name or Change in the Legal Status

## Purpose

The *Charter Holder Status Amendment Request* is used to:

- Change the entity name of the charter holder, or
- Change the legal status of the charter holder.

A change in the legal status of the charter holder is not effective until approved by the Board. A change in the entity name may be approved by the Executive Director or may be placed on the agenda of a regular Board meeting.

*Before submitting this request, ensure the charter holder is in compliance per the Board's [policy](#). If a charter holder is not in compliance, the request may be deemed incomplete and the non-compliance may be recorded on the charter holder's operational dashboard.*

## Determining Eligibility

Any charter holder may submit a *Charter Holder Status Amendment Request* to change the entity name and legal status of the charter holder.

## Board Consideration

A substantively complete amendment request to **only** change the entity name of the charter holder may be considered for approval by the Executive Director or may be placed on the agenda of a regular Board meeting.

A substantively complete amendment request submitted by a charter holder to change the legal status shall be placed on the agenda of a regular Board meeting.

A finding that the charter holder is not in compliance in one or more operational areas may result in a delay in consideration of the request.

## Instructions for the Request

Work through the form, filling in all required fields and uploads (denoted by "\*"). Follow the instructions for each upload field. Be sure to save your work, even if you aren't prepared to submit your form, so that you do not lose your data.

If you have additional questions about the type of change requested or the requirements of your request, contact your Education Program Manager ("EPM") for assistance. To find your EPM, view the filterable list of [EPM assignments](#).

**Form Fields for Change in entity name**

Field	Instructions
Type of Status Change*	Check the box “Change in entity name of the Charter Holder”.
Change From*	State the current legal name of the charter holder.
Change To*	State the name the charter holder is changing to, should this request be approved.

**Form Fields for Change in legal status**

Field	Instructions
Type of Status Change*	Check the box “Change in legal status of the Charter Holder”.
Change From*	Describe the current status of the Charter Holder, in relation to what is proposed to change with this request.
Change To*	Describe the status that will be in effect should this request be approved.
<b>New Officers, Directors, Members, or Partners</b>  (repeat this process for each individual added)	<p>Click the blue “Add Officer, Director, Member, or Partner” link. When the window pops up, enter the last 4 Digits of the new individual’s Social Security Number and the individual’s Date of Birth. Then, click the “Add Officer, Director, Member, or Partner” button.</p> <p>The window will expand. When that happens, complete the following:</p> <p><b>First Name:</b> Enter the new individual’s first name.</p> <p><b>Last Name:</b> Enter the new individual’s last name.</p> <p><b>Email Address:</b> Enter the new individual’s email address.</p> <p><b>Fingerprint Clearance Card:</b> Click “Choose File” and upload a PDF of a copy of the front and back of the individual’s valid FCC issued by DPS.</p> <p><b>Affidavit:</b> Click “Choose File” and upload a PDF of a completed, signed, and notarized Affidavit, Disclosure, and Consent for Background and Credit Check form.</p> <p><b>Résumé:</b> Click “Choose File” and upload a PDF of the individual’s résumé.</p>
<b>Remove Officers, Directors, Members, or Partners</b>	<p>From the “Choose a Member” drop down, select the member to be removed.</p> <p>Click the “Remove Member” button.</p>

**Attachments**

For further information regarding specific documentation requirements, see [The Guide](#) (*Attachment Guidelines*) and the checklist below.

**Board Minutes or Board Resolutions\***

Board minutes or board resolutions approving or addressing the change in entity name or change in legal status of the charter holder.

**Narrative\***

Upload a narrative describing the rationale for the request.

**Copy of Amendment to the Articles of Incorporation\***

Provide a copy of the Amendment to the Articles of Incorporation that demonstrates the change. This must be an amendment on file with the Arizona Corporation Commission.

**Declaration of Payment, Benefit, or Consideration\***

Provide information regarding any payment, benefit, or consideration received or to be received by any party in the transition.

**Additional Supporting Materials\* (change in legal status only)**

Upload additional supporting materials, as identified below.

Change in the Legal Status (e.g. the for-profit corporation converts to non-profit status)	
<input type="checkbox"/>	Indicate on the Form whether the non-profit corporation is an Arizona Not for Profit or a 501(c)3. If the corporation is, or will be, a 501(c)3 submit a copy of the approval letter from the I.R.S. or a copy of the application.
<input type="checkbox"/>	Copy of the minutes/resolution of the for-profit board converting the corporation to non-profit status.
<input type="checkbox"/>	Articles of Incorporation of the non-profit corporation (stamped and filed with the Arizona Corporation Commission)
<input type="checkbox"/>	Bylaws of the non-profit corporation
<input type="checkbox"/>	Governance Structure narrative includes: <ul style="list-style-type: none"> <li>a. Description of and differentiation between the school’s governing body and the non-profit corporate board</li> <li>b. Organizational Flow Chart</li> </ul>
<b>Remember that all prior year academic, financial, and operational performance will transfer with the new corporate structure.</b>	

## Administrative Completeness Review

An administratively complete request includes:

- Board Minutes
  - Approval to change the entity name or the legal status has been approved or addressed by the charter holder (approving board);
  - Approving board aligns with what is currently on file with ASBCS; and
  - Board minutes comply with Open Meeting Law (if applicable); or
  - Board resolution if the approving board is not subject to Open Meeting Law.
- Narrative addressing the prompt
- Copy of Amendment to the Articles of Incorporation
- Declaration of Payment, Benefit, or Consideration
- Fingerprint Clearance Card, notarized Affidavit, and resume for each new Officer, Director, Member, or Partner.
- Additional Supporting Materials
- All required forms are submitted on the approved ASBCS template