

**CHARTER AMENDMENT FOR MUSEUM SCHOOL OF AVONDALE ESTATES**

**AMENDMENT NUMBER #1**

The State Board of Education (“State Board”), DeKalb County Board of Education (“Local Board”), and AVONDALE EDUCATION ASSOCIATION, INC. (“Petitioner”) (collectively referred to as “the parties”) agree to amend the Charter School Contract for MUSEUM SCHOOL OF AVONDALE ESTATES (“Charter Contract”). This amendment, which shall become effective upon the last signature, shall be referred to as “Amendment #\_1\_.”

**WHEREAS**, the aforementioned parties entered into the Charter Contract for the operation of MUSEUM SCHOOL OF AVONDALE ESTATES beginning on or about July 1, 2022; and

**WHEREAS**, the Charter Contract was previously amended on or about [month/year] [if applicable]; and

**WHEREAS**, the Local Board passed a resolution seeking to amend the Charter Contract for the purpose of outlining the Local Board’s provision of in-kind services to MUSEUM SCHOOL OF AVONDALE ESTATES for the charter school’s proportionate amount of federal funds.

**NOW THEREFORE**, in consideration for the promises made herein, the parties mutually agree to amend the Charter Contract as follows:

1. Section 15 shall be amended by renumbering Section 15(h), and all references thereto, as Section 15(i) and by inserting the following new Section 15(h), to read as follows:

**h. Federal Funding – Proportionate Share and In-Kind Services.** The Local Board shall distribute to the Charter School the proportionate amount of federal funds for which the Charter School is eligible under each federal program. Notwithstanding, the Petitioner and Local Board may enter into a two-party agreement that identifies how some or all of the Charter School’s proportionate amount will be satisfied through the provision of in-kind services by the Local Board. The State Board is not a party to the in-kind services agreement. However, in accordance with O.C.G.A. § 20-2-2068.1, a copy of the in-kind services agreement between the Petitioner and Local Board is attached and incorporated as Appendix C.

2. Section 40 shall be amended by deleting and inserting the following new Section 40, to read as follows:

**40. Entire Agreement.** With the exception of Appendix C which is a two-party agreement between the Petitioner and the Local Board, this Charter sets forth the

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entire agreement among the Petitioner, the Local Board, and the State Board with respect to the subject matter of this Charter. All prior contracts, representations, statements, negotiations, understandings, and undertakings among the Petitioner, the Local Board, and the State Board are superseded by this Charter. The petition submitted to the Local Board and the State Board serves only as the formal application for the Charter School and does not constitute a contract or any type of agreement among the Local Board, the State Board, and the Petitioner.

- 3. The Charter Contract shall be amended by attaching a new “Appendix C – Federal Funding In-Kind Services Agreement between Local Board and Charter School.”

Except as amended herein, the Charter Contract and all previous amendments are unaffected and shall continue in full force and effect in accordance with its terms. If there is a conflict between this amendment and the Charter Contract or any earlier amendment, the terms of this amendment will prevail.

**IN WITNESS WHEREOF**, the parties state and affirm that they are duly authorized to bind the respected entities designated below as of the day and year indicated.

\_\_\_\_\_  
Chairperson, STATE BOARD OF EDUCATION (Date)

\_\_\_\_\_  
Chairperson, DeKalb County Board of Education (Date)

\_\_\_\_\_  
Authorized Representative, AVONDALE EDUCATION ASSOCIATION, INC. (Date)

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**OPTION A**

**Appendix C –Agreement between Local Board and Charter School regarding the Use of Federal Funds for In-Kind Services**

Appendix C is a two-party agreement between DeKalb County Board of Education (“Local Board”) and AVONDALE EDUCATION ASSOCIATION, INC. (“Charter School”) regarding in-kind services provided to the Charter School.

**WHEREAS**, the Local Board and Charter School agree that the Local Board will use a portion or all of the Charter School’s federal funds to provide in-kind services to the Charter School.

**NOW THEREFORE**, in consideration for the promise made herein, the Local Board and the Charter School agree that the in-kind services outlined in the table below will be provided by the Local Board to the Charter School for the remainder of the charter term.

**Table C.1. In-Kind Services**

| Federal Funding Source | Description of In-Kind Services                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| IDEA                   | The Charter School’s proportionate amount of IDEA funding will be provided through the following in-kind services, as outlined in the DeKalb County School District’s ("DCSD") Department Services Guide: <ul style="list-style-type: none"><li>- Related services (i.e., occupational therapy, physical therapy, and speech)</li><li>- Access to professional development, technical assistance, and guidance for teachers, paraprofessionals, and administrators related to transition services, intellectual disability services, behavior services, and autism services</li><li>- Extended School Year services - school-based only</li><li>- Specialized materials/equipment</li><li>- Assistive technology services and/or devices</li><li>- Access to SPED department instructional software</li></ul> |

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|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                  | <ul style="list-style-type: none"> <li>- Low incidence teachers/services (i.e., hearing impaired, visually impaired, orthopedically impaired, audiology)</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <p>Title III</p> | <p>Title III provides supplemental services above and beyond locally-funded services for charter schools with an established ESOL program for English learners and immigrant youth. The established ESOL program must adhere to GADOE’s established guidelines for providing ELs with effective English language instruction and adhere to all state and federal guidelines.</p> <p>The Charter School’s proportionate amount of Title III funding will be provided through the following in-kind services, as outlined in the DCSD Department Services Guide:</p> <ul style="list-style-type: none"> <li>- Effective, supplemental language instruction educational programs (LIEPs) that demonstrate success in increasing EL students’ English proficiency and content achievement. [See ESEA/ESSA § 3115(c)(1).]</li> <li>- Effective professional development (PD) for teachers, administrators, and other school personnel. [See ESEA/ESSA § 3115(c)(2).]</li> <li>- Parent, family and community engagement activities that enhance or supplement the Title III, Part A-funded language activities/programs. [ESEA/ESSA § 3115(c)(3)]</li> </ul> |

**IN WITNESS WHEREOF**, the parties state and affirm that they are duly authorized to bind the respected entities designated below as of the day and year indicated.

\_\_\_\_\_  
 Chairperson, DeKalb County Board of Education

\_\_\_\_\_  
 (Date)

\_\_\_\_\_  
 Authorized Representative, AVONDALE  
 EDUCATION ASSOCIATION, INC.

\_\_\_\_\_  
 (Date)