

**CHARTER AMENDMENT FOR Utopian Academy for the Arts Elementary
AMENDMENT NUMBER 1**

The State Board of Education (“State Board”), Clayton County Board of Education (“Local Board”), and Utopian Academy for the Arts: The Miller Foundation, Inc. (“Petitioner”) (collectively referred to as “the parties”) agree to amend the Charter School Contract for **Utopian Academy for the Arts Elementary** (“Charter Contract”). This amendment, which shall become effective upon the last signature, shall be referred to as “Amendment # .”

WHEREAS, the aforementioned parties entered into the Charter Contract for the operation of **Utopian Academy for the Arts Elementary** beginning on or about July 1, 2020; and

WHEREAS, the Charter Contract was never previously amended; 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 **Utopian Academy for the Arts Elementary** 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 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."

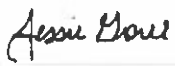
Except as amended herein, the Charter Contract and all previous amendments are unaffected and shall continue in full force and effect in accordance with its terms. If there is a conflict between this amendment and the Charter Contract or any earlier amendment, the terms of this amendment will prevail.

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

3.23.22
 (Date)



 Chairperson, Jessie Goree
 BOARD OF EDUCATION

January 3, 2022 | 8:31:59 PM EST
 (Date)



 Authorized Representative, Dr. Morcease J. Beasley

January 3, 2022 | 9:15:30 PM EST
 (Date)



 Charter Authorized Representative, Artesius Miller

01/04/2022
 (Date)