



This addendum ("Addendum") entered into as of the 26th day of January 2024 by and between KIPP Nashville ("Operator") and the Tennessee Public Charter School Commission ("Authorizer"), collectively referred to as the "Parties" for the operation of KIPP Southeast Nashville College Prep Middle (hereinafter referred to as the "Charter School"), both of whom agree to be bound by this Addendum and Charter Agreement (TPCSC Contract #0013).

Addendum Conditions. This Addendum is by and between the Parties with regard to the Section 2.1. Student Enrollment and Retention and Section 4. Facilities of the TPCSC Contract #0013. This addendum shall amend TPCSC Contract #0013 titled "Charter Agreement" entered into as of April 5, 2023, a copy of which is attached, and will be attached as **Exhibit 5**. This is first amendment to the original Agreement. Through this Addendum, the Parties wish to incorporate the below amended language:

2.1. Student Enrollment and Retention. The Charter School shall enroll students according to T.C.A. § 49-13-113. The Charter School shall not discriminate with respect to admissions on the basis of race, color, ethnicity, religion, national origin, English language proficiency, sex, disability, or the need for special education and related services as set forth in the Charter School's Application and the Act.

2.1.1. Student Enrollment Total in Permanent Facility Location. The Charter School may enroll students up to a total maximum enrollment of 600 when in its permanent facility location. When the school is serving all authorized grades in its permanent facility location, increases in total enrollment numbers greater than 600 must be reported to the Authorizer and evaluated to determine if they are material changes to this agreement. Reductions in enrollment greater than 15% must be reported to the Authorizer and evaluated to determine if they are material changes to this Agreement. Until the school is serving all authorized grade levels, the Authorizer will annually evaluate the school against the enrollment listed by year in Exhibit 1. If, after completion of the annual enrollment evaluation, the Charter School's actual enrollment falls below 15% of the projected enrollment, the Authorizer shall have the right to determine if the actual enrollment is a material change to this Agreement. Reductions in enrollment in successive years or changes that affect the financial solvency of the Charter School are considered material and shall require an amendment to this Agreement. Any change in enrollment that is considered to be material to this Agreement shall not be permitted unless a formal amendment to this Agreement is secured in advance according to the provisions outlined in T.C.A. § 49-13-110(d), Commission Rule 1185-01-01-.04, and this Agreement.

2.1.2. Student Total Enrollment in Temporary Facility Location. The Charter School may operate from a temporary facility location, with current capacity for maximum enrollment of 264. In accordance with the interim review required by T.C.A. § 49-13-121, the Parties shall evaluate and determine the ongoing facility and enrollment plan and capacity for the remainder of the charter term. If, after completion of the interim evaluation as named in Section 1.3 of this Agreement, the Parties determine that the enrollment constitutes a material change, then the Charter



School shall complete an amendment to this Agreement according to the provisions outlined in T.C.A. § 49-13-110(d), Commission Rule 1158-01-01-.04, and this Agreement. The Charter School shall notify the Authorizer within thirty (30) calendar days of its intent to relocate to the Permanent Facility Location, as named in Section 2.1.1 of this Agreement. Upon notification by the Operator, this Section 2.1.2 shall expire, and Enrollment in Permanent Facility Location shall govern the Parties, as named in Section 2.2.1 of this Agreement.

The Charter School may enroll students in the grade levels by school year as outlined in the table below.

Enrollment

Grade Level	Year Approved to Enroll
5 th Grade	2024-2025
6 th Grade	2024-2025
7 th Grade	2025-2026
8 th Grade	2026-2027

If the number of applications for the Charter School exceeds the capacity of a program, class, grade level, or building, enrollment shall occur according to the preferences in T.C.A. § 49-13-113. If enrollment within a group of preference set out in subdivision (d)(4) exceeds the planned capacity of the Charter School, enrollment within that group shall be determined on the basis of a lottery that complies with statute. The Charter School shall ensure a random selection process, equitable to all students and publicly verifiable, in accordance with federal, state, and local law. The Charter School shall be responsible for adherence to the obligations of a public charter school, in accordance with T.C.A. § 49-13-101 et. seq., including but not limited to enrollment of all eligible students where space is available.

4. Facilities

The Charter School shall ensure the Charter School's grounds and facilities comply with applicable health and safety laws, including the ADA, state fire marshal codes, and state and local zoning and land use codes.

The Charter School shall not commence instruction prior to completion of applicable inspections and receipt of a completed Pre-Opening Checklist (attached as Exhibit 3) from the Authorizer, unless the Authorizer permits the Charter School to open and provide later certification of completion of all items on the Pre-Opening Checklist.

The Charter School shall commence instruction for the approved enrollment amount and in accordance with the timeline indicated by Section 2.1.2. of this Agreement in a facility



approved by the Authorizer as part of the completion of the Pre-Opening Checklist (attached as **Exhibit 3**).



TENNESSEE
PUBLIC CHARTER SCHOOL COMMISSION

THE STATE OF TENNESSEE BY AND THROUGH
THE TENNESSEE PUBLIC CHARTER SCHOOL
COMMISSION:

By: Tess Stovall

Printed Name: Tess Stovall

Title: Executive Director

Date: 2/13/24

By: Christine Richards

Printed Name: Christine Richards

Title: Chair, Tennessee Public Charter School
Commission

Date of Commission Approval:
2/14/2024

CHARTER SCHOOL:

By: _____

Printed Name: JAMES LOUIS FLAUIT

Title: KIPP BOARD CHAIR

Date: 1/30/2024