



OFFICE OF CHARTER SCHOOLS

February 17, 2017

By E-mail: shelley@eastbayia.org; and dkrugman@eastbayia.org;

East Bay Innovation Academy
Attn: Shelley Benning and Devin Krugman
3400 Malcolm Avenue
Oakland, CA 94605

Re: Proposition 39 Extension

Dear Shelley Benning and Devin Krugman:

In alignment with Proposition 39 ("Prop. 39"), the District and charter school may mutually agree to modify specific Prop. 39 timelines while negotiating a mutually agreeable facilities solution (an alternative to Prop. 39). East Bay Innovation Academy ("EBIA") and the Oakland Unified School District ("OUSD" or "District") are actively working to develop a long term facilities use agreement for development of the Marshall campus but have not reached final terms to memorialize an agreement, yet. Therefore, at this time, we would like to request that EBIA and the District mutually agree to further extend the deadline for EBIA to receive a Preliminary Prop. 39 Offer from February 28, 2017 to March 31, 2017 (after the March 22, 2017 OUSD Board Meeting). If EBIA and the District are able to negotiate/amend the facilities agreements for the 2017-2018 school year at the Marshall site and Roosevelt site, we will bring to the Board the binding letters of intent or agreement for approval at the OUSD Board Meeting on March 22, 2017.

If we are unable to execute the binding letters of intent or agreement by the March 22, 2017 Board Meeting, EBIA will be no less positioned to exercise its rights under Prop. 39.

If EBIA agrees to the extension, please confirm your agreement and acknowledgment of this extension by signing the bottom of this letter.

Thank you in advance for your consideration.

ACKNOWLEDGEMENT

EBIA mutually agrees to extend the deadline for receipt of a Preliminary Offer until March 31, 2017, while maintaining all other rights guaranteed under Prop. 39.

** EBIA agrees with the following modification - EBIA will respond to the preliminary offer by April 14. OUSD will provide a final offer on April 28, and EBIA will accept by May 10, 2017 2/28/17*

[Handwritten signature]

Signature

Date

Printed Name

Shelley Benning