



OFFICE OF CHARTER SCHOOLS

March 15, 2019

Michelle Cho  
East Bay Innovation Academy  
3400 Malcolm Ave  
Oakland, CA 94605

Re: Oakland Unified School District  
East Bay Innovation Academy  
Proposition 39 Request for Facilities for 2019-20

Dear Ms. Michelle Cho:

This letter will confirm that East Bay Innovation Academy (EBIA) and the Oakland Unified School District (District) agree to the following:

- The District intends to issue EBIA two separate Proposition 39 final offers of facilities: one for its middle school (i.e. grades 6-8) ADA and another for its high school (i.e. grades 9-12) ADA.
- For its middle school ADA:
  - The District intends to issue to EBIA a Proposition 39 final offer of facilities for 2019-20 consisting of exclusive use of the Marshall Campus, which it currently occupies, by April 1, 2019 to cover its request for facilities for its entire in-district middle school ADA.
  - Should the District issue a final offer of facilities consisting of the space described above, the District will forgo inclusion of the comparison group analyses<sup>1</sup> in its middle school final offer of facilities. EBIA's acceptance of the intended 2019-20 middle school facility offer and EBIA's agreement that for 2019-20 the District does not need to provide the comparison group analyses in one version of its final offer as described here does not waive EBIA's right to seek reasonably equivalent space and full compliance with Prop. 39 in subsequent years.
  - Should the District not issue a final offer of facilities for EBIA's middle school ADA consisting of the abovementioned space for 2019-20, the District shall issue a Final Offer of reasonably equivalent facilities for EBIA's middle school ADA by April 1, 2019, in compliance with all Proposition 39 requirements.
- For its high school ADA, unless EBIA withdraws its Proposition 39 request for facilities prior to the deadlines below, EBIA and the District mutually agree to:
  - Extend the deadline for EBIA to receive a Proposition 39 final offer of facilities by six weeks, from April 1, 2019 to May 13, 2019.
  - Modify the deadline for EBIA to notify the District in writing regarding whether it intends to occupy the space offered for its high school ADA until either 30 days after it receives the high school ADA final offer of facilities or until May 28, 2019, whichever is earlier.

Sonali Murarka, Director  
Office of Charter Schools

I agree to the above terms on behalf of East Bay Innovation Academy.

Date: March 15, 2019

Michelle Cho  
East Bay Innovation Academy

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<sup>1</sup> "Comparison group analyses" refers to the methodology for identifying comparison group schools and the evaluation of reasonable equivalence of facility condition and capacity, which were included in the preliminary offer of facilities as sections C & D (including subsections D1-D4), respectively