

OROVILLE CITY ELEMENTARY SCHOOL DISTRICT

FORMAL STAFF REPORT AND FINDINGS OF FACT

TO: Board of Trustees, Oroville City Elementary School District (OCESD)

FROM: District Staff & Charter Oversight Team, Oroville City Elementary School District

DATE: October 2, 2026

SUBJECT: FORMAL FINDINGS, RECOMMENDATIONS, AND LEGAL GUIDANCE REPORT: STREAM CHARTER SCHOOL RENEWAL PETITION (2027–2032)

This report conveys the formal findings, legal analysis, and staff recommendations of the Oroville City Elementary School District (OCESD) regarding the renewal petition submitted by STREAM Charter School for a five-year term commencing July 1, 2027.

SECTION 1: PROCEDURAL HISTORY & BACKGROUND

Petitioner: STREAM Charter School, operated as a California nonprofit public benefit corporation. Co-Directors: Devin Thomas (Academic/Principal) and Ellen Hamilton (Finances/Operations).

Authorizing District: Oroville City Elementary School District (OCESD).

Petition Submission Date: July 31, 2026.

Public Hearing Date: Conducted by the OCESD Board of Trustees on September 16, 2026, pursuant to Education Code § 47605(b) to consider the level of community support.

Proposed Renewal Term: Five-year term commencing July 1, 2027, and expiring June 30, 2032.

Notice of Violation History:

- *December 13, 2023:* OCESD Board of Trustees considered, but did not adopt, a Notice of Violation regarding uncredentialed administrators. STREAM responded on January 9, 2024, by adopting Resolution 2024-01 temporarily waiving internal charter administrator qualifications.
- *June 17, 2026 / June 22, 2026:* OCESD issued a formal Notice of Violation / Request for Corrective Action Plan under Education Code § 47607(e), establishing a remedy deadline of July 15, 2026.
- *September 14, 2026:* OCESD sent a letter to STREAM that it “has elected not to continue with the revocation proceedings initiated by the June 22, 2026 Notice of Violation.”

Independent Investigation: A neutral third-party investigation was conducted by investigator Ryan Tung, Esq. (Lincoln White Investigations) between August 25, 2025, and April 6, 2026, involving interviews with 15 current and former STREAM employees.

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School Overview & Target Population:

STREAM is an independent public charter school serving transitional kindergarten through 8th grade students in Oroville, California. Total enrollment has expanded continuously from 286 pupils in FY 2020–21 to 531 pupils in FY 2025–26. The student body comprises 60.8% socioeconomically disadvantaged pupils, 15.1% students with disabilities, 1.7% English learners, 0.4% homeless youth, and 0.2% foster youth (*Dataquest*, 2026).

Educational Philosophy: STREAM operates a constructivist, project- and problem-based educational model emphasizing Science, Technology, Reading, Engineering, Arts, and Mathematics (STREAM), utilizing science as the foundational anchor for standards-aligned thematic units.

SECTION 2: STANDARD OF REVIEW

Assembly Bill 1505 Renewal Tier Determination

Under California Education Code §§ 47607 and 47607.2 (enacted via AB 1505), charter school renewal petitions are evaluated under a three-tiered performance system anchored to California School Dashboard indicators.

The three performance tiers and their renewal terms include:

1. **High Performance Tier:** Eligible for a five to seven-year renewal term (often featuring presumptive renewal if the school is designated to fall into the high tier).
2. **Middle Performance Tier:** Eligible for a standard five-year renewal term. (Most charter schools fall into this default tier).
3. **Low Performance Tier:** Eligible for a two-year renewal term *only* if specific statutory conditions and criteria for improvement are met under California Education Code. Otherwise, low-performing schools face potential non-renewal

The California Department of Education (CDE) has officially classified STREAM Charter School as a **Middle Performance Tier Charter School**.

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Statutory Standard of Review (EC § 47607.2(b))

For middle-performing charter schools, the statutory framework mandates default renewal for a five-year term unless the District Governing Board makes explicit, written factual findings that:

1. The charter school has failed to make sufficient progress toward meeting state and local standards according to the Dashboard; and
2. Closure of the charter school is in the best interest of pupils.

Weighting of Academic Performance

Education Code § 47607.2(b)(2) mandates that the authorizer grants greater weight to performance on state academic indicators: California Assessment of Student Performance and Progress (CAASPP) ELA and Mathematics, the California Science Test (CAST), and the English Learner Progress Indicator (ELPI).

Substantial Fiscal or Governance Factors Exception (EC § 47607(e))

Notwithstanding STREAM's classification as a "Middle-Performing" charter school under Education Code § 47607.2(b), Education Code § 47607(e) provides an explicit statutory exception allowing the charter authorizer to deny charter renewal upon a finding that the school is *demonstrably unlikely to successfully implement the program set forth in the petition due to substantial fiscal or governance factors*.

The District may deny renewal under EC § 47607(e) after providing at least 30 days' notice and an opportunity to cure (satisfied via the June 22, 2026 Notice of Violation/Request for Corrective Action Plan), by making either of the following written findings:

1. EC § 47607(e)(1): The corrective action proposed by the charter school has been unsuccessful;
OR
2. EC § 47607(e)(2): The violations are sufficiently severe and pervasive as to render a corrective action plan unviable.

Applicable New State Statutory Requirements

Pursuant to state law, both the District's oversight framework and STREAM's petition text must incorporate recent statutory mandates:

EC § 53008:	Mandatory K–2 universal reading difficulties and dyslexia screening utilizing State Board of Education (SBE)-approved screening tools.
SB 88:	Driver qualification, background check, and safety compliance for paid school-related transportation of pupils.
AB 3216:	Adoption of student smartphone restriction policies (Phone-Free School Act).
AB 1858 / EC § 32282.1:	Trauma-informed active shooter drill standards prohibiting realistic simulations.

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SB 848 / EC § 44051 & GC § 12945.6:	Prior educational employer misconduct inquiries for non-certificated applicants, prohibition of non-disclosure agreements concealing pupil abuse, and 5 days of protected Reproductive Loss Leave.
SB 760 / EC § 35292.5:	Provision and Title 24 signage of accessible, unlocked all-gender restrooms.
AB 2555 / EC § 313:	Streamlined English Learner reclassification criteria (effective July 1, 2027).

SECTION 3: ANALYSIS OF ACADEMIC PERFORMANCE

Pursuant to Education Code § 47607.2(b), middle-performing charter school renewal evaluations must assess schoolwide performance and student subgroup results across all state and local indicators reported on the California School Dashboard, granting greater weight to state academic indicators.

STREAM Charter School's Dashboard evaluation demonstrates that it has performed in the Orange category for English Language Arts and Mathematics during the last three school years. According to CDE, "From highest to lowest, the Performance Levels are: Blue, Green, Yellow, Orange, and Red." (<https://www.cde.ca.gov/ta/ac/cm/fivebyfivecolortable.asp>)

1. Overall Dashboard Performance Indicator Colors (2024–2025)

The Dashboard reports state indicator performance using color gauges. STREAM's indicator colors for All Students compared to the District and State for 2024 and 2025 are summarized below:

Indicator	STREAM (2024 / 2025)	OCESD (2024 / 2025)	State (2024 / 2025)
ELA (Academic)	Orange / Orange	Orange / Red	Orange / Yellow
Math (Academic)	Orange / Orange	Yellow / Orange	Orange / Yellow
ELPI (Academic)*	No Color (<30)	Blue / Red	Orange / Yellow
Chronic Absenteeism	Yellow / Yellow	Red / Orange	Yellow / Yellow
Suspension Rate	Orange / Blue	Red / Yellow	Green / Green

*Note: STREAM serves fewer than 30 English Learner students counted for the English Learner Progress Indicator (ELPI), resulting in "No Color" designation.

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2. English Language Arts (ELA) Indicator (2022–2025)

For 2025, STREAM's performance in ELA was 27.6 points below standard, and maintained 1.7 points from the previous year. Following are the Dashboard ratings for its reportable subgroups:

Blue	Green	Yellow	Orange	Red	No Color
None	None	Hispanic Socioeconomically Disadvantaged White	Two or More Races	Students with Disabilities	African American American Indian Asian English Learners Homeless Long-Term English Learners Pacific Islander

Academic performance is also measured by Distance from Standard (DFS) in points. According to the CDE, "Distance from Standard measures how many points above or below (or the distance) each student is from the lowest possible scale score within the Level 3 (i.e., Standard Met)" on state standardized tests. The chart below summarizes, over the past four reporting years, STREAM, the local comparison school median, and OCESD averages schoolwide and across all student subgroups. A larger number indicates greater distance below Level 3 "Standard Met":

Student Group	Entity	2022	2023	2024	2025
All Students	STREAM	-0.4	-8.8	-29.2	-27.6
	Local Median*	-61.6	-71.4	-67.1	-63.6
	OCESD	-69.7	-77.7	-74.3	-62.0
Socioeconomically Disadvantaged (SED)	STREAM	-12.3	-23.6	-49.7	-39.5
	Local Median*	-66.0	-77.5	-72.9	-63.9
	OCESD	-80.4	-88.8	-82.8	-69.9
Students with Disabilities (SWD)	STREAM	-88.5	-102.7	-102.9	-103.1
	Local Median*	-147.7	-149.0	-142.9	-122.7
	OCESD	-133.5	-131.1	-131.8	-131.1
English Learners (EL)	STREAM	N/A	-27.7	-40.9	-9.6
	Local Median*	N/A	-74.6	-67.7	-46.2
	OCESD	N/A	-79.9	-61.9	-57.2
Hispanic / Latino	STREAM	-50.4	-38.5	-46.8	-20.1
	Local Median*	-68.5	-75.7	-76.2	-69.5
	OCESD	-68.8	-76.3	-78.5	-59.1

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*Note: "Local Median" represents the median score of the 8 comparison schools within 2 miles, as indicated in the STREAM Charter Petition.

3. Mathematics Indicator (2022–2025)

For 2025, STREAM's performance in Mathematics was 46.4 points below standard, and declined 3 points from the previous year. Following are the Dashboard ratings for its reportable subgroups:

Blue	Green	Yellow	Orange	Red	No Color
None	None	Two or More Races	Hispanic Socioeconomically Disadvantaged Students with Disabilities White	None	African American American Indian Asian English Learners Homeless Long-Term English Learners Pacific Islander

Following is additional subgroup data for STREAM in mathematics:

Student Group	Points Below Standard	Change	Dashboard Rating
Hispanic	61.2	Decline 10.9	Orange
Socioeconomically Disadvantaged	53.8	Maintain 2.8	Orange
Students with Disabilities	98.7	Increase 20.2	Orange
White	40.6	Decline 3.0	Orange

In Mathematics, the chart below summarizes DFS for STREAM, the local comparison school median, and OCESD performance across all student groups from 2022 to 2025:

Student Group	Entity	2022	2023	2024	2025
All Students	STREAM	-19.0	-36.8	-43.3	-46.4
	Local Median	-95.5	-90.8	-74.8	-83.0
	OCESD	-92.8	-97.4	-91.6	-94.0
	STREAM	-44.3	-60.0	-56.6	-53.8

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Socioeconomically Disadvantaged (SED)	Local Median	-100.5	-100.3	-80.6	-83.6
	OCESD	-103.3	-110.3	-99.9	-101.6
Students with Disabilities (SWD)	STREAM	-68.3	-125.8	-118.9	-98.7
	Local Median	-150.8	-168.2	-150.4	-151.9
	OCESD	-151.7	-146.4	-148.4	-154.6
English Learners (EL)	STREAM	N/A	-29.0	-45.8	-23.9
	Local Median	N/A	-93.4	-80.7	-75.4
	OCESD	N/A	-102.0	-83.0	-87.7
Hispanic / Latino	STREAM	-75.6	-75.4	-50.3	-61.2
	Local Median	-91.1	-92.6	-82.6	-76.1
	OCESD	-94.2	-97.6	-99.8	-89.6

4. California Science Test (CAST) Indicator (2024–2025)

Science results were added to the Dashboard for informational purposes starting in 2024 (reported as DFS) and transitioned in 2025 to Points Earned. STREAM outperformed comparison schools and the District in both years across all subgroups:

Student Group	Entity	2024 (DFS)	2025 (Points)
All Students	STREAM Charter	-4.6	56.6
	Comparison Median	-21.2	45.4
	OCESD District	-20.2	47.4
Socioeconomically Disadvantaged (SED)	STREAM Charter	-9.1	54.3
	Comparison Median	-22.2	44.1
	OCESD District	-23.4	45.5
Students with Disabilities (SWD)	STREAM Charter	-24.8	43.5
	Comparison Median	-34.9	36.8
	OCESD District	-31.3	37.2
Hispanic / Latino	STREAM Charter	N/A (<30)	58.2
	Comparison Median	N/A	48.8
	OCESD District	N/A	47.6

5. Chronic Absenteeism Indicator (2022–2025)

STREAM has continuously reduced its K–8 chronic absenteeism rates each year since 2022, maintaining rates well below the local comparison school median and District averages:

School / Entity	2022	2023	2024	2025
STREAM Charter School	2.9%	16.3%	14.9%	13.9%
Hearthstone	11.5%	33.6%	22.2%	11.6%
Ipakanni Early College Charter	26.8%	38.3%	43.1%	18.6%
Nelson Avenue Middle	35.7%	20.3%	22.2%	16.6%
Oakdale Heights Elementary	43.1%	34.5%	30.3%	32.6%
Plumas Avenue Elementary	29.7%	15.5%	16.3%	9.4%

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Sierra Avenue Elementary	48.2%	24.9%	24.9%	23.7%
The Studios @ Central	24.1%	45.6%	39.5%	39.0%
Wyandotte Academy	26.2%	39.8%	39.4%	37.6%
Oroville City Elementary (OCESD)	45.5%	39.1%	39.5%	37.6%

6. Suspension Rate Indicator by Student Subgroup (2022–2025)

STREAM’s suspension rate declined to 0.6% schoolwide by 2025, remaining lower than OCESD district averages across all subgroups:

Student Group	Entity	2022	2023	2024	2025
All Students	STREAM Charter	2.9%	1.4%	1.8%	0.6%
	OCESD District	9.0%	8.7%	12.6%	8.4%
Socioeconomically Disadvantaged (SED)	STREAM Charter	0.0%	2.2%	1.8%	0.9%
	OCESD District	9.6%	9.2%	13.6%	8.9%
Students with Disabilities (SWD)	STREAM Charter	1.9%	0.0%	3.7%	0.0%
	OCESD District	11.0%	10.1%	15.4%	14.6%
Hispanic / Latino	STREAM Charter	0.0%	3.1%	3.0%	0.0%
	OCESD District	6.7%	9.0%	9.6%	5.9%

7. Student Stability Rate by Subgroup (2021–2025)

The CDE Stability Rate measures the percentage of enrolled students who complete a full year of learning at the same school. STREAM has maintained stability rates over 90% across all demographic groups, averaging 20% higher than the local comparison school median:

Student Subgroup	2021	2022	2023	2024	2025
All Students	91%	96%	97%	91%	93%
English Learners	100%	N/A	100%	91%	100%
Socioeconomically Disadvantaged	90%	93%	90%	96%	94%
Students with Disabilities	96%	91%	95%	96%	94%
Hispanic / Latino	92%	97%	94%	95%	92%
Local Comparison School Median	63%	79%	77%	75%	75%
OCESD District Average	82%	71%	82%	82%	84%

8. Dashboard Local Indicators (2024–2025)

STREAM met all state-mandated local indicators on the California School Dashboard in both 2024 and 2025:

Basics (Teachers, Instructional Materials, Facilities):	STANDARD MET
Implementation of Academic Standards:	STANDARD MET
Parent and Family Engagement:	STANDARD MET
Local Climate Survey:	STANDARD MET

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Access to a Broad Course of Study:	STANDARD MET
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SECTION 4: REVIEW OF THE 14 STATUTORY CHARTER ELEMENTS

District staff evaluated the petition narrative against the 14 statutory elements required by Education Code § 47605(c)(5) and identified specific deficiencies requiring mandatory addendum language:

Element	Audit Status	Primary Deficiency / Action Required
Element 1: Educational Program	Action Needed	- Add AB 2555 EL text/language. - Attach grade-level standards map & ALL unit plans. - Include an explicit ELD Instructional Materials & Curriculum plan. Provide a sample push-in/pull-out schedule. - Identify research-based SAI programs or intervention tools used to support students with IEP. - Attach Independent Study Master Agreement. - Clarify SELPA governance & CCSA/CSDC fees/membership.
Element 2: Measurable Outcomes	Action Needed	- Replace duplicate LCAP text with explicit subgroup targets table - Verify net minute bell schedules.
Element 3: Pupil Progress Assessment	Action Needed	Add EC § 53008 SBE-approved K–2 dyslexia screener.
Element 4: Governance	Action Needed	- Fix Bylaws p. 4 TBD term limits; - Verify GC § 1090 conflict rules & 49% interested director limits.
Element 5: Employee Qualifications	Action Needed	Define "equivalent admin experience" & clarify staff evaluation authority for non-credentialed directors.
Element 6: Health & Safety	Action Needed	Insert language for SB 848 (Vetting/Loss Leave), AB 1858 (Assailant Drills), & SB 760 (Restrooms).
Element 7: Racial/Ethnic Balance	Action Needed	Add explicit demographic comparison table vs. OCESD.
Element 8: Admissions & Lottery	Action Needed	Clarify lottery execution is independently managed by STREAM.
Element 9: Suspension & Expulsion	Action Needed	- Fix EC § 49079/WIC § 827 Notice to Teachers. - Expand 45-day SPED IAES rules & EC § 48913.5 homework rights. - Re-align Page 121 disciplinary subdivisions under EC § 48900 with current CDE statute: remove EC § 48900(k) as an out-of-school suspension ground pursuant to SB 274 (TK–12 ban), and update subdivisions (l) through (r) and companion sections (§ 48900.2–.7).

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Element 10: Retirement Systems	Action Needed	Provide written confirmation of STRS/PERS vs private & 60-day notice/employee disclosure terms.
Element 11: Attendance Alternatives	Compliant	Meets statutory requirements. No action required.
Element 12: District Employee Rights	Compliant	Meets statutory requirements. No action required.
Element 13: Dispute Resolution	Action Needed	Add investigation cost recovery, neutral dispute resolution, and mandatory District reporting clauses.
Element 14: School Closure	Compliant	Meets statutory requirements. No action required.
Appendix II: Financials	Action Needed	Submit standalone 12-month Year 1 Cash Flow schedule.

Detailed Corrective Text Provisions

- Element 1 - Educational Program (Backwards Standards Map & Unit Plans):**

Pursuant to EC § 47605(c)(5)(A) and EC § 47604.3, STREAM shall attach as an appendix that includes a complete, year-long grade-level backwards standards map (e.g., for Grade 4 or Grade 5) demonstrating scope, sequence, pacing, and standard alignment across all trimesters, accompanied by complete sample thematic unit plans for every unit taught within that selected grade level.

- Element 1 - English Learner Reclassification (AB 2555 / EC § 313):**

Page 55 of the petition must be revised to align with Assembly Bill 2555 (Education Code § 313.4). The school shall update its English Learner reclassification policy to remove subjective initiation language (e.g., staff 'feeling' a student is ready) and explicitly affirm that student eligibility and reclassification procedures strictly adhere to state criteria based on ELPAC assessment benchmarks and applicable California Department of Education guidelines.

Insert or add the following language: *"Commencing July 1, 2027, the Charter School shall update its English Learner reclassification policies and procedures to fully align with Education Code Section 313 (AB 2555). Reclassification criteria shall primarily utilize the qualifying score established by the State Board of Education on the state English Language Development assessment (ELPAC Level 4 or Alternate ELPAC), streamlined parent notification protocols, specific alternative reclassification pathways for English Learners with Individualized Education Programs (IEPs), and four (4) years of structured post-reclassification academic monitoring."*

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- **Element 1 – Designated ELD Curriculum and Materials**

While STREAM defines a protected 30-minute daily Designated ELD block and proficiency-level grouping logistics (pp. 51, 58), the petition fails to identify any specific, adopted state-aligned ELD instructional materials or curriculum. Pursuant to EC § 47605(c)(5)(A) and EC § 47604.3, STREAM must specify an adopted, research-based ELD curriculum used during Designated ELD instruction to ensure systematic language acquisition aligned to California ELD Standards.

- **Element 1 – Special Education Materials and Schedule**

Insert or add the following language: *"STREAM Charter School shall maintain and utilize research-based, specialized academic instruction (SAI) materials and intervention curricula (such as Orton-Gillingham/S.P.I.R.E. or Wilson Reading for literacy, TouchMath/Do the Math for mathematics, and specialized executive functioning toolkits) to support students with disabilities in achieving their specific IEP goals. Specialized academic instruction and related services shall be scheduled in coordination with general education teachers to ensure students with disabilities maintain full access to core instructional blocks (ELA, Math, Science) and are not inappropriately removed from core instruction. STREAM shall provide the authorizer with a sample master special education push-in/pull-out schedule upon request."*

- **Elements 2 & 3 - Universal Reading Screener (EC § 53008):**

Insert or add the following language: *"In accordance with Education Code § 53008, the Charter School shall annually administer a State Board of Education (SBE)-approved reading and dyslexia screening instrument (such as mCLASS DIBELS 8th Edition, Amira, or Star Early Literacy) to all K–2 pupils to assess phonological awareness, decoding, fluency, and reading comprehension, identifying students at risk for reading difficulties. Parents/guardians shall be notified of screening results, and identified students shall receive targeted Tier 2/3 reading interventions."*

- **Element 4 - Governance & Term Limit Revisions (Bylaws Page 4):**

STREAM shall amend Appendix I (Bylaws, Article VII, Page 4) to eliminate all 'TBD' references in the Board Roster table and establish fixed, staggered expiration dates (Group A expiring June 30 of odd years; Group B expiring June 30 of even years). STREAM shall further adopt a maximum consecutive term limit policy (no more than three consecutive 2-year terms for non-parent directors) to ensure governance rotation, while maintaining OCESD's statutory appointee seat under Education Code § 47604(c).

- **Element 6 - Background Checks & Employee Vetting (SB 848 / EC § 44051):**

Insert or add the following language: *"In accordance with Education Code § 44051, the Charter School shall require applicants for non-certificated (classified) positions to provide a complete history of prior educational employment. Before hiring, the Charter School shall contact prior educational employers to verify whether the applicant has been the subject of any credible complaints or discipline regarding egregious misconduct. The Charter School shall not enter into*

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any severance or settlement agreement that conceals or fails to disclose substantiated allegations of pupil-related misconduct."

- **Element 6 - Reproductive Loss Leave (SB 848 / GC § 12945.6):**

Insert or add the following language: *"The Charter School shall comply with Government Code Section 12945.6 by providing eligible employees who have been employed for at least thirty (30) days with up to five (5) days of protected leave following a reproductive loss event, including miscarriage, stillbirth, failed adoption, failed surrogacy, or unsuccessful assisted reproduction. Requests for leave shall remain strictly confidential."*

- **Element 6 - Active Shooter Drills (AB 1858 / EC § 32282.1):**

Insert or add the following language: *"Pursuant to Education Code § 32282.1 (AB 1858), any active shooter or armed assailant drills shall be trauma-informed, age-appropriate, and conducted without realistic trauma simulations (including simulated gunfire, fake weapons, theatrical blood, or actors playing assailants). The Charter School shall provide advance written notice to parents/guardians and staff prior to any drill, allow parent opt-outs, make a clear schoolwide announcement immediately before starting, and ensure mental health support resources are available."*

- **Element 6 - All-Gender Restrooms (SB 760 / EC § 35292.5):**

Insert or add the following language: *"Pursuant to Education Code § 35292.5, the Charter School maintains at least one all-gender restroom for student use (excluding TK/K restrooms). Signage shall conform with Title 24 of the California Code of Regulations. The facility shall remain unlocked and accessible during school hours. A notice containing contact information for the designated staff contact shall be posted in a prominent location outside at least one all-gender restroom."*

- **Element 8 - Admission Policies and Procedures (Fix to include the following text)**

A. Statutory Compliance & Non-Discrimination

STREAM Charter School ("STREAM") shall be nonsectarian in its programs, admission policies, employment practices, and all other operations, and shall not charge tuition. Admission to STREAM is open to any pupil residing within the State of California who wishes to attend, subject only to available space. STREAM shall not discriminate against any pupil on the basis of actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, immigration status, athletic performance, academic achievement, or any other protected characteristic pursuant to Education Code § 47605(e)(1) and § 220. STREAM shall not require parental volunteer hours as a condition of student admission, enrollment, or continued attendance.

B. Independent School Administration of Admissions & Lottery

STREAM shall independently manage, administer, and execute all aspects of its student recruitment, application processing, public random drawings ("lottery"), student registration,

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and waitlist management. The Oroville City Elementary School District ("OCESD" or "District") shall not be responsible for conducting, supervising, or processing STREAM's admission applications, public random drawings, or enrollment paperwork.

C. Application Windows and Public Random Drawing (Lottery) Procedures

1. *STREAM shall establish an annual public open enrollment window (e.g., from the first school day following winter break through the second Friday in March). STREAM shall widely publicize the enrollment window and deadlines in English, Spanish, and Hmong to ensure equal access across the Oroville community.*
2. *If the number of pupils submitting an application during the open enrollment window exceeds the operational capacity of a specific grade level or program, STREAM shall conduct a single, public random drawing (lottery) for the impacted grade level(s).*
3. *STREAM shall independently apply admission preferences in the public random drawing in strict accordance with Education Code § 47605(e)(2)(B) in the following tiered order:*
 - *Tier 1: Pupils currently enrolled at STREAM (exempt from lottery; guaranteed admission).*
 - *Tier 2: Siblings of pupils currently enrolled at STREAM.*
 - *Tier 3: Children of STREAM full-time employees and Governing Board members (not to exceed 10% of total student enrollment).*
 - *Tier 4: Residents of the Oroville City Elementary School District.*
 - *Tier 5: All other California residents.*
4. *STREAM shall conduct the lottery at a publicly noticed date, time, and accessible location (or via a secure, audited electronic charter lottery software platform). While members of the public and District oversight personnel are welcome to observe the drawing, STREAM staff alone shall manage and record the results.*

D. Waitlist Management & Acceptance Timelines

1. *Students not selected for immediate admission during the public random drawing shall be placed on a grade-level waitlist in the exact order drawn. Applications received after the close of the open enrollment window shall be added to the end of the waitlist in the order received.*
2. *Waitlists are valid for the single academic year for which the lottery was conducted and **shall not carry over** from year to year. Applicants remaining on a waitlist must reapply during the next annual open enrollment period if they seek admission for a subsequent school year.*
3. *When a vacancy occurs, STREAM office staff shall independently contact the next applicant on the waitlist. Applicants offered admission shall have **two (2) weeks (10 business days)** from the date of written notification to confirm acceptance and submit required enrollment documentation. If an applicant fails to respond or declines the offer within the specified window, STREAM shall offer the space to the next student on the waitlist.*

- **Element 9 - Notice to Teachers regarding Dangerous Pupils (EC § 49079 / WIC § 827):**

Insert or add the following language: *"The Charter School shall inform teachers of any student who has engaged in, or is reasonably suspected to have engaged in, any of the acts described in*
OCESD Staff Report & Findings

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Education Code § 48900 (except subdivision h), § 48900.2, § 48900.3, § 48900.4, or § 48900.7. Pursuant to Education Code § 49079 and Welfare & Institutions Code § 827, this notice shall be based on records maintained by the school or received from law enforcement/juvenile court regarding the student during the previous three (3) school years. Any information provided shall be received in strict confidence for the limited purpose provided and shall not be further disseminated."

- **Element 9 - Interim Alternative Educational Setting (IAES SPED Rules):**

Insert or add the following language: "Charter School personnel or an OAH Hearing Officer (pursuant to 34 C.F.R. § 300.532) may remove a student with a disability to an IAES determined by the IEP team for not more than forty-five (45) school days for special circumstances involving weapons, illegal drugs, or serious bodily injury. Any IAES placement shall enable the student to continue participating in the general education curriculum, progress toward IEP goals, and receive behavioral intervention services (FBA/BIP) designed to address the behavior violation so that it does not recur."

- **Element 9 – EC § 48900 Statutory Subdivision Alignment:**

The enumerated grounds for suspension and expulsion listed on Page 121 under Education Code § 48900 starting at subdivision (k) are inconsistent with current California Education Code statute and CDE guidelines. STREAM must update Page 121 to:

1. **Remove EC § 48900(k) [Willful Defiance / Disruption]** as a ground for out-of-school suspension or expulsion across all grades (TK–8) pursuant to SB 274, reallocating these behaviors entirely to in-school supports and MTSS interventions.
2. Re-align and update all subsequent subdivisions (l) through (r) and companion sections (§ 48900.2, § 48900.3, § 48900.4, § 48900.7) to match the current CDE / California Education Code discipline matrix.

- **Element 10 - Employee Retirement Systems (Fix to include the following):**

A. Statutory Authority & System Participation

Pursuant to Education Code § 47605(c)(5)(K), the Charter School shall specify the retirement systems covering its employees. STREAM Charter School ("STREAM") has elected to participate in the California State Teachers' Retirement System ("CalSTRS") and/or the California Public Employees' Retirement System ("CalPERS"), as applicable to eligible employees.

1. *All full-time and eligible part-time certificated instructional and administrative employees shall participate in CalSTRS in the same manner as non-charter public school employees, earning state public pension service credit.*
2. *Eligible non-certificated classified employees shall participate in CalPERS or Federal Social Security, supplemented by any approved employer-sponsored retirement savings plan (e.g., 403(b) or 401(k) plan), in accordance with statutory eligibility guidelines and governing board approval.*

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3. *Employees not covered by CalSTRS or CalPERS shall contribute to Federal Social Security or an approved alternative retirement system in compliance with federal Omnibus Budget Reconciliation Act (OBRA) regulations.*

B. Administrative Oversight & Reporting Responsibilities

The Co-Director of Finance & Operations, in coordination with the Human Resources & Payroll Manager, shall be solely responsible for ensuring that all mandatory employee and employer retirement contributions are accurately withheld, budgeted, and remitted on a timely basis. STREAM shall contract with the Butte County Office of Education (BCOE) or an approved third-party payroll vendor to manage state pension reporting, data submission, and audit compliance.

C. Future System Modifications & Employee Disclosure Rules

While STREAM retains legal authority under Education Code § 47610 to consider alternative private retirement options (such as 401(k) or 403(b) plans) to attract and retain qualified staff, STREAM commits to the following safeguards prior to making any structural change to its retirement system offerings:

1. *STREAM shall provide at least sixty (60) calendar days' advance written notice to the OCESD Superintendent and District Governing Board prior to taking board action to modify, opt out of, or replace its participation in CalSTRS or CalPERS.*
 2. *Prior to enrolling any employee in a private or alternative retirement account (e.g., 401(k) or 403(b)) in lieu of CalSTRS or CalPERS, STREAM shall provide the employee with a formal written disclosure document. This document shall explicitly state that opting out of or failing to participate in CalSTRS/CalPERS means the employee will not earn state public pension service credit for that period of employment, which may impact their state retirement vesting, service credit accumulation, and final pension calculations.*
 3. *Any alternative retirement structure adopted by STREAM shall be fully reflected in annual audit submissions and multi-year financial budget projections provided to the District pursuant to Education Code § 47604.33.*
- **Element 13 - Mandatory Dispute Resolution (Fix to include the following text):**
 - A. Intent and Scope**

The dispute resolution procedures outlined in this Element apply to disputes arising between STREAM Charter School ("STREAM") and the Oroville City Elementary School District ("District" or "OCESD") regarding the interpretation, implementation, or enforcement of the charter, statutory compliance, or operational oversight. Nothing in this Element shall impair, delay, or limit the District's statutory oversight responsibilities under Education Code § 47604.32, nor shall it limit or delay the District's authority to issue a Notice of Violation or initiate revocation proceedings pursuant to Education Code § 47607 or § 47607.3 in emergency situations involving pupil health and safety or fiscal distress.

B. Internal Dispute Resolution & Neutral Investigations

1. *Internal Complaints: Disputes internal to STREAM (including parent complaints, employee grievances, or board governance disputes) shall be resolved through STREAM's*

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internal policies and Uniform Complaint Procedures ("UCP"). The District shall promptly refer any internal complainants back to STREAM leadership.

2. *Mandatory Neutral Investigators: For any internal complaint, formal grievance, or investigation involving allegations of serious misconduct, harassment, discrimination, or legal non-compliance made against a member of the STREAM Governing Board or an executive administrator (Co-Directors), STREAM shall retain an independent, qualified third-party neutral investigator (who is not an employee, regular legal counsel, or affiliated vendor of STREAM) to conduct the investigation and issue written findings.*

C. Mandatory Incident Notification to District

STREAM shall provide written notification to the OCESD Superintendent or designee as soon as practicable, but no later than twenty-four (24) hours (or immediately in the event of an active emergency), upon the occurrence of any of the following events:

1. *Any law enforcement investigation, response, or arrest occurring on school grounds or involving school staff/students during school-sponsored activities.*
2. *Any critical incident involving serious student or employee physical injury, hospitalization, or death on school grounds.*
3. *Filing of any formal lawsuit, administrative charge (e.g., DFEH, EEOC, PERB), or written notice of intent to sue naming STREAM, its Board, or employees.*
4. *Discovery of any actual or suspected fiscal emergency, audit exception, fraud, or material budget deficit that threatens solvency.*
5. *Receipt of any formal inquiry, notice of non-compliance, or audit finding from CDE, CALPADS, STRS/PERS, or federal agency.*

D. Formal District-Charter Dispute Resolution Process

In the event of a dispute between the District and STREAM regarding the charter:

1. *Written Dispute Statement: The initiating party shall deliver a detailed, written "Dispute Statement" specifying the facts, charter sections, and proposed resolution.*
2. *Informal Administrative Conference: Within ten (10) business days of receipt, the District Superintendent (or designee) and STREAM Co-Directors shall meet informally to attempt resolution.*
3. *Formal Joint Board Committee Conference: If unresolved within twenty (20) business days of the Dispute Statement, two designated members of the OCESD Governing Board and two members of the STREAM Governing Board shall meet jointly with staff to negotiate a resolution.*
4. *Neutral Third-Party Mediation: If unresolved within thirty (30) business days, the parties shall engage a mutually agreed-upon neutral mediator from the State Mediation and Conciliation Service or JAMS. The cost of the mediator shall be split equally between the District and STREAM. Mediation shall occur within sixty (60) business days of the initial Dispute Statement.*

SECTION 5: FINANCIAL, OPERATIONAL, AND GOVERNANCE VIABILITY

Multi-Year Budget & Cash Flow Analysis

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- **Budget Projections:** Multi-year operational projections in Appendix II (pp. 166–170) show flat teacher salaries and flat CalSTRS expenditures across Years 4–6. STREAM must provide a written **Budget Assumption Narrative** detailing step/column progression, COLA index assumptions, and statutory STRS/PERS rate escalations.
- **12-Month Cash Flow Schedule:** STREAM must submit a standalone 12-month month-by-month cash flow projection schedule for Year 1 (FY 2027–28) of the renewal term to satisfy EC § 47605(g).
- **Universal Meals & Food Services:** STREAM must clarify its food service operational costs and federal/state reimbursement structure under Universal Meals (EC § 49501.5).
- **Health Benefits Group:** STREAM must confirm in writing whether its employees participate in the District's BSSP Joint Powers Authority (JPA) or a standalone private broker structure.

Factual Findings from Independent Authorizer Investigation (Lincoln White Investigations)

Following receipt of administrative complaints, OCESD retained independent investigator Ryan Tung, Esq. (Lincoln White Investigations), who interviewed 15 current and former STREAM employees and reviewed attendance documentation between August 2025 and April 2026. The investigation substantiated three categories of severe operational and governance violations, culminating in the issuance of a formal Notice of Violation / Request for Corrective Action Plan approved by the OCESD Board of Trustees on June 17, 2026, and issued on June 22, 2026:

1. Attempted Falsification of State Attendance Records (TK Ratios):

In FY 2022–23, STREAM exceeded state Transitional Kindergarten (TK) class size limits (24 max, 1:12 adult ratio). STREAM administration devised a scheme asking TK/K teachers (Kimberly Tietz and Courtney Egge) to re-sign false attendance records attributing TK pupils to founder Don Phillips to conceal non-compliance and avoid state funding penalties. Both teachers refused. STREAM administrators and attendance office staff confirmed these events.

2. Pervasive Discriminatory, Retaliatory, and Hostile Environment:

Co-Director Devin Thomas engaged in pervasive gender-based discrimination and created a hostile work environment:

- Repeated derogatory comments regarding "estrogen levels in the room" and calling female staff "emotional".
- Referring to front office staff as the "beauty parlor" and using derogatory nicknames ("Big Kimmy," "pizza face," "looks like a bird").
- Expressing hiring bias against female applicants of "childbearing age".
- Derogatory comments regarding a non-binary pupil behind the student's back.
- Retaliatory acts against whistleblowers, dictatorial staff management ("you're in or you're out"), berating teachers, and non-renewing a teacher after filing an unsubstantiated Commission on Teacher Credentialing (CTC) misconduct report.
- Four former employees have filed formal claims with the Civil Rights Department (CRD/DFEH).

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- STREAM administration conducted a cursory internal review, made no findings, and imposed no remedies, forcing OCESD to retain an independent investigator at District expense.

3. Brown Act Violations:

Systemic failure to physically post Board meeting agendas in publicly accessible locations 72 hours in advance (placing them in closed binders or emailing staff only) and changing the June 2025 Board meeting date without public notice, in violation of Gov. Code § 54954.2.

SECTION 6: STAFF RECOMMENDATIONS & ACTIONABLE REVISION CHECKLIST

District staff presents the two options under Education Code 47605 for the Governing Board's consideration based on the review of the renewal petition and the findings of the June 22, 2026 Notice of Violation/Request for Corrective Action:

OPTION A: DENY RENEWAL (EC § 47607(e))

Pursuant to Education Code § 47607(e), the Governing Board **DENIES** the charter renewal petition of STREAM Charter School for the term of July 1, 2027, through June 30, 2032.

Factual Findings in Support of Denial:

1. STREAM is demonstrably unlikely to successfully implement the program set forth in the petition due to substantial governance and operational factors pursuant to Education Code § 47607(e).
2. The District satisfied statutory due process by issuing a formal Notice of Violation/Request for Corrective Action on June 22, 2026, providing a 30-day remedy period ending July 15, 2026.
3. Pursuant to Education Code § 47607(e)(2), the substantiated violations—comprising attempted falsification of state attendance records to conceal TK ratio non-compliance, pervasive sexual/gender harassment and whistleblower retaliation by executive leadership, and chronic Brown Act non-compliance—are sufficiently severe and pervasive as to render a corrective action plan unviable.

OPTION B: APPROVE RENEWAL

The Governing Board **APPROVES** STREAM Charter for a five-year term (July 1, 2027 – June 30, 2032), provided that STREAM confirm in writing, by October 16, 2026, that it agrees to perform the following terms by November 15, 2026:

#	Category	Mandatory Operational Condition Precedent
1	Attendance Audit	Independent forensic audit of all TK/K attendance documentation from 2022 to 2026 to verify state funding compliance.
2	Complaint Intake	Retention of an independent neutral third-party firm for all employee and student UCP complaint intake and investigations.

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3	Brown Act Monitor	Submission of physical and digital Brown Act agenda posting verification to OCESD 72 hours prior to every STREAM Board meeting. Ensure all STREAM Board members attend Brown Act training and provide OCESD of evidence.
4	Statutory Addendum Text	Execution of all 16 petition text revisions (AB 2555, K-2 dyslexia screener, SB 848 employee vetting, grade-level standards map, Cash Flow).

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Actionable Petition Revision Checklist (Required for Option B)

#	Category	Specific Document / Revision Required
1	Element 1 Text	Insert AB 2555 EL Reclassification language (eff. July 1, 2027).
2	Element 1 Appendix	Attach sample Independent Study Master Agreement template.
3	Element 1 Text	Specify the adopted, state-aligned ELD instructional curriculum/materials (e.g., Benchmark ELD, E.L. Achieve, Wonders ELD) used during the 30-minute daily Designated ELD block and provide a sample weekly ELD pacing guide.
4	Element 1 Text	Identify specific research-based specialized academic instruction (SAI) curricula/intervention programs used for students with disabilities and provide master schedule guidelines ensuring pull-out services do not conflict with core instructional blocks.
5	Element 1 Appendix	Attach a complete grade-level backwards standards map (showing pacing & CCSS/NGSS alignment) AND sample thematic unit plans for EVERY unit within that designated grade level.
6	Elements 2 & 3 Text	Insert EC § 53008 SBE-approved Universal Reading Screener language.
7	Elements 2 & 3 Exhibit	Provide Master Daily Bell Schedules & Net Instructional Minutes sheets.
8	Element 5 Text	Clarify "equivalent administrative experience" and teacher evaluation authority for non-credentialed directors.
9	Element 6 Text	Insert exact language for SB 848 (Vetting & Loss Leave), AB 1858 (Active Shooter Drills), and SB 760 (All-Gender Restrooms).
10	Element 7 Text	Insert explicit Demographic Comparison Table (STREAM vs. OCESD).
11	Element 8 Text	Update Lottery Administration language to confirm independent execution.
12	Element 9 Text	Insert updated Notice to Teachers (EC § 49079) and IAES SPED language. Include EC § 48913.5 Teachers must provide homework upon request.
13	Element 9 Text	Make corrections to and re-align Page 121 disciplinary subdivisions under EC § 48900 with current CDE statute: remove EC § 48900(k) as an out-of-school suspension ground pursuant to SB 274 (TK–12 ban), and update subdivisions (l) through (r) and companion sections (§ 48900.2–.7).
14	Element 13 Text	Add District cost reimbursement, neutral investigation, and notification clauses for legal disputes.
15	Appendix I (Bylaws)	Fix non-parent Director term limits and expiration dates on p. 4.
16	Appendix II (Financials)	Submit standalone 12-month FY 2027–28 Cash Flow Projection Schedule and Budget Assumption Narrative.

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SECTION 7: EXHIBIT A - PROPOSED BOARD RESOLUTIONS

RESOLUTION OPTION A: RESOLUTION TO DENY CHARTER RENEWAL (EC § 47607(e))

BEFORE THE GOVERNING BOARD OF THE
OROVILLE CITY ELEMENTARY SCHOOL DISTRICT
BUTTE COUNTY, CALIFORNIA

RESOLUTION NO. 2026-27-05 (DENIAL OF CHARTER RENEWAL)

RESOLUTION OF THE GOVERNING BOARD OF THE OROVILLE CITY ELEMENTARY
SCHOOL DISTRICT DENYING THE CHARTER RENEWAL PETITION OF STREAM CHARTER SCHOOL
PURSUANT TO EDUCATION CODE § 47607.2(b) and § 47607(e)

WHEREAS, the Oroville City Elementary School District ("District") received a charter renewal petition ("Petition") from STREAM Charter School ("STREAM") on July 31, 2026, requesting a five-year renewal term from July 1, 2027, through June 30, 2032; and

WHEREAS, pursuant to Education Code § 47605(b), the District Governing Board held a public hearing on September 16, 2026, to consider the level of support for the renewal of STREAM; and

WHEREAS, on June 17, 2026, the District Governing Board approved a Notice of Violation / Request for Corrective Action Plan pursuant to Education Code § 47607(e), issued to STREAM on June 22, 2026, setting a remedy deadline of July 15, 2026; and

WHEREAS, an independent investigation conducted by Lincoln White Investigations substantiated that STREAM committed material violations of law and charter terms, including: (1) attempted falsification of Transitional Kindergarten attendance records to bypass state staffing ratios and protect funding; (2) pervasive gender discrimination, harassment, and whistleblower retaliation by Co-Director Devin Thomas; and (3) systemic Brown Act violations; and

WHEREAS, Education Code § 47607(e) establishes that, notwithstanding Dashboard academic performance tiers under Section 47607.2, the chartering authority may deny renewal of a charter school upon a finding that the school is demonstrably unlikely to successfully implement the program due to substantial fiscal or governance factors; and

WHEREAS, the District Governing Board finds under Education Code § 47607(e)(2) that the substantiated violations of attendance record falsification, executive harassment/retaliation, and governance non-compliance are sufficiently severe and pervasive as to render a corrective action plan unviable;

NOW, THEREFORE, BE IT RESOLVED by the Governing Board of the Oroville City Elementary School District as follows:

1. RECITALS: The above recitals are true and correct.

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2. ADOPTION OF FINDINGS: The Governing Board hereby adopts the Staff Report and Findings of Fact dated October 2, 2026, denying renewal pursuant to Education Code § 47607(e).

3. The Governing Board finds that the charter school has failed to make sufficient progress toward meeting state and local standards according to the Dashboard; and that closure of the charter school is in the best interest of pupils.

4. DENIAL OF RENEWAL: The Governing Board hereby DENIES the charter renewal petition of STREAM Charter School for the term of July 1, 2027, through June 30, 2032.

5. TRANSMITTAL: The District Superintendent is directed to transmit a copy of this Resolution and Findings of Fact to STREAM leadership and the California Department of Education.

PASSED AND ADOPTED by the Governing Board of the Oroville City Elementary School District on this ____ day of _____, 2026, by the following vote:

AYES: ____

NOES: ____

ABSENT: ____

ABSTAIN: ____

President, Governing Board
Oroville City Elementary School District

ATTEST:

Clerk, Governing Board
Oroville City Elementary School District

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RESOLUTION OPTION B: RESOLUTION FOR APPROVAL OF RENEWAL

BEFORE THE GOVERNING BOARD OF THE
OROVILLE CITY ELEMENTARY SCHOOL DISTRICT
BUTTE COUNTY, CALIFORNIA

RESOLUTION NO. 2026-27-06 (APPROVAL)

RESOLUTION OF THE GOVERNING BOARD OF THE OROVILLE CITY ELEMENTARY
SCHOOL DISTRICT REGARDING THE RENEWAL OF STREAM CHARTER SCHOOL
(TERM: JULY 1, 2027 – JUNE 30, 2032)

WHEREAS, the Oroville City Elementary School District ("District") received a charter renewal petition ("Petition") from STREAM Charter School ("STREAM") on July 31, 2026, requesting a five-year renewal term from July 1, 2027, through June 30, 2032; and

WHEREAS, pursuant to Education Code § 47605(b), the District Governing Board held a public hearing on September 16, 2026, to consider the level of support for the renewal of STREAM; and

WHEREAS, pursuant to Education Code §§ 47607 and 47607.2, STREAM has been classified by the California Department of Education as a "Middle-Performing" charter school based on state and local indicators on the California School Dashboard; and

WHEREAS, on June 22, 2026, the District issued a Notice of Violation/Request for Corrective Action identifying operational, legal, and governance concerns, and District staff's audit identified statutory omissions across Elements 1 through 15 requiring corrective addenda; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Board of the Oroville City Elementary School District as follows:

1. RECITALS: The above recitals are true and correct.
2. ADOPTION OF FINDINGS: The Governing Board hereby adopts the Staff Report and Findings of Fact dated October 2, 2026, incorporated herein by reference.
3. APPROVAL OF RENEWAL: The Governing Board hereby APPROVES the renewal of the STREAM Charter School petition for a five-year term (July 1, 2027, through June 30, 2032). The Board's action expressly relied upon the Charter School's representation in writing that it would agree to the following terms no later than November 15, 2026:
 - a. Execution of a Binding Petition Addendum and Memorandum of Understanding (MOU) containing: (1) an independent forensic audit of 2022–2026 TK attendance records; (2) external neutral complaint intake retention; (3) Brown Act posting monitoring protocols; and (4) all 16 statutory petition text revisions identified in Section 6.

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4. AUTHORIZATION: The District Superintendent or designee is hereby authorized to negotiate, finalize, and execute the Petition Addendum and MOU with STREAM leadership to implement this Resolution.

PASSED AND ADOPTED by the Governing Board of the Oroville City Elementary School District on this _____ day of _____, 2026, by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

President, Governing Board
Oroville City Elementary School District

ATTEST:

Clerk, Governing Board
Oroville City Elementary School District