

Charter School Conversion Ballot Process

An application proposing to convert an existing public school to a charter school must demonstrate the support of teachers and parents in accordance with section 1002.33(3)(b), F.S. The following provisions are established to create a ballot process by which such support shall be demonstrated.

(1) Ballot process.

(a) Support for a conversion charter school shall be determined by secret ballot.

(b) Teachers and parents shall be offered the opportunity to vote on whether or not to approve the charter school proposal.

(c) A minimum of one school day for teachers to submit a ballot and a minimum of six consecutive school days for parents to submit a ballot.

(d) Written notification of a ballot shall be provided to teachers and parents at least 30 days prior to conducting the ballot. The notification shall include, at a minimum:

1. The definition of a charter school;
2. A description of the conversion process;
3. The dates and conditions under which a ballot may be submitted;
4. The date and location of a scheduled public meeting where the ballots will be counted; and
5. Contact information for additional questions.

(e) The official ballots shall be created and distributed by the school and submitted by teachers and parents in a sealed, unmarked envelope also provided by the school.

(f) A separate ballot box shall be created for teacher and parent votes and each box shall be visibly sealed, supervised during school hours, and secured when the school is closed in order to maintain the confidentiality of ballots.

(g) Upon placement of the ballot by the voter into the ballot box, the school administrator or designee who is not eligible to vote shall confirm the individual's eligibility to vote and document who submitted the ballot in order to ensure only eligible individuals vote and no individual votes more than once.

(2) Ballot results.

(a) As soon as possible, but not more than three school days after closing the ballot, a public meeting shall be held in which an independent arbitrator will unseal the teacher and parent ballot boxes and count the ballots out loud in the presence of meeting attendees.

(b) Each vote shall be tallied by the school administrator or a designee not eligible to vote.

(c) The final ballot results shall be posted in a prominent location on the school site.

(d) If a sufficient number of teachers and parents support the charter proposal, the conversion charter application must be submitted by the application deadline that follows the ballot. The ballot results may not carry over to another school year or application period.

(e) If a sufficient number of parents and/or teachers do not support the charter proposal, the application may not be submitted to the District.

(f) One vote per school year may be held.

(3) Teacher voting. For purposes of this rule, a teacher is an individual with a teaching contract employed by the school for more than half a school day. School administrators are not eligible to vote.

(a) Teacher ballots shall be uniform in design and created and distributed by the school along with a sealable, unmarked envelope.

(b) A teacher who is absent, on leave, or otherwise unavailable to submit his or her ballot during the designated balloting window may:

1. Designate another individual to submit his or her ballot. The teacher must put the sealed ballot in another envelope and sign the seal of the outside envelope. When the designee presents the ballot at the school's site, it shall be removed from the signed outer envelope and immediately placed in the ballot box.

2. Submit the ballot early upon mutual agreement between the teacher and the school administrator.

(c) A teacher may refuse to vote or choose not to submit a ballot, which is equivalent to voting not to approve the charter proposal.

(4) Parent voting. For purposes of this rule, the parent(s) or guardian(s) of a student enrolled in the school shall receive one ballot per household, regardless of the number of students residing in the household.

(a) Parent ballots shall be uniform in design and created and distributed by the school along with a sealable, unmarked envelope.

1. The ballot and envelope shall be mailed to the parent of each student enrolled in the school before the ballot is conducted.

2. Extra ballots shall be made available at the school's location during the balloting window.

(b) If the parent is unable to submit the ballot in person at the school site, he or she may put the sealed ballot in another envelope, sign the seal of the outside envelope, and mail the ballot to the school. The parent shall include identification on the outer envelope such as a return address to ensure only one ballot is submitted per household.

(c) A teacher who is also the parent of a student enrolled in the school shall be allowed to submit a teacher ballot in addition to the parent ballot submitted for the household.

(d) A majority of parents eligible to vote must participate in the ballot process pursuant to section 1002.33(3)(b), F.S.; therefore, for purposes of this rule, a majority is more than half.