



February 20, 2024

Principal Vicki McAlhany
Newberry Elementary School
25705 SW 15th Ave
Newberry, FL 32669

RE: Request to Hold Vote to Convert Newberry Elementary School to a Public Charter School Pursuant to Section 1002.33(3)(b), Fla. Stat.

Dear Principal McAlhany:

I am writing this letter on behalf of Naim and Karyanna Erched of Newberry Elementary School to request that a vote be held amongst the school's teachers and parents to convert the school to a public charter school, pursuant to Section 1002.33(3)(b), Florida Statutes. As set forth in Rule 6A-6.0787, Florida Administrative Code, a vote must be completed within sixty (60) days of the date of this letter and in accordance with the procedures set forth in the rule. We are requesting that voting not commence until April 8, 2024 to allow sufficient time to communicate our vision to stakeholders and ensure that eligible voters are fully informed. This will allow the necessary time to complete the vote and tally the results before the sixty (60) day deadline expires on April 19, 2024.

A summary of the procedures that must be followed in conducting this vote is attached as Exhibit "A." These procedures are summarized from Rule 6A-6.0787, Florida Administrative Code, which is also attached as Exhibit "B." Please refer to the full rule for more information. In addition, Exhibit "C" includes suggested ballot language that may be utilized in conducting the vote.

We look forward to working with you on this exciting opportunity to improve the education of Newberry's children.

Sincerely,

Naim Erched
Karyanna Erched

Attachments:

- ▶ Exhibit A: Summary of Process for Converting to Public Charter School
- ▶ Exhibit B: Rule 6A-6.0787, Fla. Admin. Code
- ▶ Exhibit C: Sample Ballot Language



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EXHIBIT A

Summary of Process for Converting to Public Charter School

To begin the process of converting a district-run public school to a public charter school, a vote must be held amongst teachers and parents to approve the conversion. Below is a summary of the process for conducting the vote, as described in Rule 6A-6.0787, Florida Administrative Code.

- ▶ **INITIATION:** A district school board, the principal, teachers, parents, and/or the school advisory council at an existing public school that has been in operation for at least two (2) years may submit a request in writing to the school administrator. The administrator shall complete the ballot process within sixty (60) days of receipt of the written request.

- ▶ **ELIGIBLE VOTERS:**
 - **Staff:** Only classroom teachers employed by the school for more than half of each school day are eligible to vote. School administrators and other staff members are not eligible to vote.
 - **Parents:** Each household of an enrolled student is eligible for one vote regardless of the number of students residing in the household.

- ▶ **BALLOT REQUIREMENTS:**
 - The vote must be conducted through secret ballots.
 - Written notification of the ballot shall be provided to teachers and parents at least thirty (30) days prior to conducting the ballot. The notification shall include, at a minimum:
 - The definition of a public charter school;
 - A description of the conversion process;
 - The dates and conditions under which a ballot may be submitted;
 - The date and location of a scheduled public meeting where the ballots will be counted; and,
 - Contact information for additional questions.
 - Official ballots must be uniform and distributed to teachers and parents in a sealed, unmarked envelope provided by the school. An extra sealable, unmarked envelope must be provided for absentee ballots.
 - The following additional requirements apply to parent ballots:
 - The ballot and envelope shall be mailed to the household of each student enrolled in the school before the ballot is conducted.
 - Extra ballots shall be made available at the school's location during the balloting window.
 - A ballot may be sent home with a student if the parent's address is found to be invalid.



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Exhibit A

► **VOTING PROCEDURES:**

- A minimum of one (1) school day shall be allotted for teachers to submit a ballot and a minimum of six (6) consecutive school days shall be allotted for parents to submit a ballot.
- Separate ballot boxes 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.
- 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.
- A teacher may refuse to vote or choose not to submit a ballot, which is equivalent to voting not to approve the charter proposal.
- A teacher who is also the parent of a student enrolled in the school shall be allowed to submit both a teacher ballot and the parent ballot submitted for the household.
- A majority of parents eligible to vote must participate in the ballot process.

► **ABSENTEE VOTING PROCEDURES:**

- A teacher who is absent, on leave, or otherwise unavailable to submit his or her ballot during the designated balloting window may:
 - 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.
 - Submit the ballot early upon mutual agreement between the teacher and the school administrator.
- 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. If the ballot is submitted improperly, it shall not be counted.



► **BALLOT RESULTS:**

- As soon as possible, but not more than three (3) school days after closing the ballot, a public meeting shall be held in which an independent arbitrator, selected by agreement between the school administrator and the applicant, will unseal the teacher and parent ballot boxes and count the ballots aloud in the presence of meeting attendee.
- Each vote shall be tallied by the independent arbitrator.
- The final ballot results shall be posted in a prominent location on the school site.
- For the vote to pass, a majority (50% + 1) of teachers and a majority of parents must vote to support the conversion.
- The tallying of votes must be completed within sixty (60) days from the date of the request.

► **POST-VOTE PROCEDURES:**

- If the parents and teachers approve the proposal to convert the school to a public charter school, then the applicants will submit a public charter school application to an agency authorized to approve such application later in 2024.

EXHIBIT B

Rule 6A-6.0787, Florida Administrative Code

6A-6.0787 Ballot Process for Teacher and Parent Voting for Charter School Conversion Status.

An application be proposing to covert 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 detail the ballot process by which such support shall be demonstrated.

(1) Initiation of ballot process. A district school board, the principal, teachers, parents, and/or the school advisory council at an existing public school that has been in operation for at least two (2) years may submit a request in writing to the school administrator to conduct a vote for conversion. The administrator shall complete the ballot process within sixty (60) days of receipt of the written request.

(2) 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 shall be allotted for teachers to submit a ballot and a minimum of six (6) consecutive school days shall be allotted for parents to submit a ballot.

(d) Written notification of a ballot shall be provided to teachers and parents at least thirty (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) Separate ballot boxes 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.

EXHIBIT B

Rule 6A-6.0787, Florida Administrative Code

(3) Ballot results.

- (a) As soon as possible, but not more than three (3) school days after closing the ballot, a public meeting shall be held in which an independent arbitrator, selected by the agreement between the school administrator and the applicant, will unseal the teacher and parent ballot boxes and count the ballots aloud in the presence of meeting attendees.
- (b) Each vote shall be tallied by the independent arbitrator.
- (c) The final ballot results shall be posted in a prominent location on the school site.
- (d) If a majority of teachers employed at the school and a majority of voting parents support the charter proposal, the conversion charter application must be submitted during the same calendar year the vote is held.
- (e) If a majority of parents and/or teachers do not support the charter proposal, the application may not be submitted to the sponsor.
- (f) Only one (1) vote per calendar year may be held.

(4) Teacher voting. For purposes of this rule a teacher is an individual as defined in Section 1012.01(2) (a), F.S., and employed by the school for more than half of each 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.

(5) Parent voting. For purposes of this rule, each household shall receive one ballot regardless of the number of students residing in the household. If a student has two households, the household of the enrolling parent shall receive the ballot.

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



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1. The ballot and envelope shall be mailed to the household 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.

3. A ballot may be sent home with a student if the parent's address is found to be invalid.

(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. If the ballot is submitted improperly, it shall not be counted.

(c) A teacher who is also the parent of a student enrolled in the school shall be allowed to submit both a teacher ballot and 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.

Rulemaking Authority 1002.33(28) FS. Law Implemented 1002.33(3)(b) FS. History—New 6-22-10, Amended 11-22-22.



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Exhibit B

Rule 6A-6.0787, Fla. Admin. Code

EXHIBIT C

Sample Ballot Language

Approval of Parents and Teachers to Convert Newberry Elementary School to a Public Charter School

Shall Newberry Elementary School be converted from a traditional public school operated by the Alachua County School Board to a tuition-free, public charter school which will be governed by volunteer board members chosen from the community, with such conversion to be subject to the approval of a public charter school application by an agency authorized to approve such application?

- ☐ **Yes, I approve the conversion to a public charter school**
- ☐ **No, I do not approve the conversion to a public charter school**



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