



## **Executive Director's Recommendation**

### **Empower Memphis Career and College Prep Appeal**

Pursuant to Tennessee Code Annotated (T.C.A.) § 49-13-108, sponsors proposing to open a new charter school may appeal the denial of their amended application by a local board of education to the Tennessee Public Charter School Commission ("Commission"). On July 28, 2023, the sponsor of Empower Memphis Career and College Prep ("sponsor" or "Empower Memphis" or "Empower") appealed the denial of its amended application by the Memphis-Shelby County School (MSCS) Board of Education to the Commission.

Based on the procedural history, findings of fact, analysis, and Review Committee Report, attached hereto, I believe that the decision to deny the Empower Memphis Career and College Prep amended application was contrary to the best interests of the students, the LEA, or the community.<sup>1</sup> Therefore, I recommend that the Commission overturn the decision of the MSCS Board of Education to deny the amended application for Empower Memphis Career and College Prep.

#### **STANDARD OF REVIEW**

Pursuant to T.C.A. § 49-13-108 and Commission Policy 2.000, Commission staff and an independent review charter application review committee conducted a de novo, on the record review of the Empower Memphis Career and College Prep amended application. In accordance with the Tennessee Department of Education's charter application scoring rubric, "[f]or an application to be deemed eligible for approval, the summary ratings for all applicable categories must be "Meets or Exceeds the Standard."<sup>2</sup> In addition, the Commission is required to hold a public hearing in the district where the proposed charter school seeks to locate.<sup>3</sup>

In order to overturn the decision of the local board of education, the Commission must find that the application meets or exceeds the metrics outlined in the department of education's application-scoring rubric and that approval of the amended charter application is in the best interests of the students, the local education agency (LEA), or the community.<sup>4</sup> If the local board of education's decision is overturned, then the Commission can approve the application, and thereby authorize the school, or affirm the local board's decision to deny.

#### **PROCEDURAL HISTORY**

1. On December 1, 2022, the sponsor submitted a letter of intent to MSCS expressing its intention to file a charter school application.
2. The sponsor submitted its initial application for Empower Memphis Career and College Prep to MSCS on February 1, 2023.
3. MSCS assembled a review committee to review and score the Empower Memphis Career and College Prep initial application.

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<sup>1</sup> T.C.A. § 49-13-108

<sup>2</sup> Tennessee Charter School Application Evaluation Rubric – Ratings and Scoring Criteria

<sup>3</sup> T.C.A. § 49-13-108

<sup>4</sup> *Id.*



4. On March 7, 2023, MSCS's review committee conducted a capacity interview with representatives of Empower Memphis Career and College Prep.
5. The MSCS review committee reviewed and scored the Empower Memphis Career and College Prep initial application and recommended to the MSCS Board of Education that the initial application be denied, indicating it partially met standard in Academic Plan Design and Capacity, Operations Plan and Capacity, and Financial Plan and Capacity, and the initial application was not in alignment with Memphis-Shelby County School's Board Policy 1011.
6. On April 25, 2023, the MSCS Board of Education voted to deny the Empower Memphis Career and College Prep initial application based on the review committee's recommendation.
7. The sponsor amended and resubmitted its application for Empower Memphis Career and College Prep to MSCS on May 26, 2023.
8. The MSCS review committee reviewed and scored the Empower Memphis Career and College Prep amended application based on the charter application scoring rubric.
9. The MSCS review committee rated each section of the Empower Memphis Career and College Prep amended application as meets the standard in Academic Plan Design and Capacity, Operations Plan and Capacity, and Financial Plan and Capacity however recommended denial to the local board of education, citing Memphis-Shelby County School's Board Policy 1011.
10. On July 18, 2023, the MSCS Board of Education voted to deny the amended application of Empower Memphis Career and College Prep.
11. The sponsor appealed the denial of the Empower Memphis Career and College Prep amended application in writing to the Commission on July 28, 2023, including submission of all required documents per Commission Policy 2.000.
12. The Commission's review committee independently analyzed and scored the Empower Memphis Career and College Prep amended application using the Tennessee Department of Education's charter school application scoring rubric.
13. On August 30, 2023, the Commission staff held a public hearing at the Memphis Teaching and Learning Academy in Memphis, Tennessee. At the public hearing, the Executive Director, sitting as the Commission's Designee, heard presentations from the sponsor and MSCS and took public comment regarding the Empower Memphis Career and College Prep amended application.
14. The Commission's review committee conducted a capacity interview with key members of the Empower Memphis Career and College Prep leadership team on September 8, 2023, via Microsoft Teams.
15. After the capacity interview, the Commission's review committee determined a final consensus rating of the Empower Memphis Career and College Prep amended application, which served as the basis for the Review Committee Recommendation Report, attached hereto as **Exhibit A**.
16. The Commission staff conducted a full review of the record which includes the initial and amended applications submitted by the sponsor, documentation submitted by MSCS, and the findings of the public hearing and public comment. The Commission's General Counsel conducted a full review and legal analysis of the record.

## FINDINGS OF FACT

### District Denial of Initial Application

The review committee assembled by MSCS to review and score the Empower Memphis Career and College Prep initial application consisted of the following individuals:

Name	Title
Kimberly Adams	MSCS Finance & Accounting
Angela Askew*	MSCS Career & Technical Education
Laura Bailey	MSCS Office of General Counsel
Samuel Beyhan	Charter Leader Reviewer
Donna Goings	MSCS School & Student Support
Alethea Henry*	Expert External Reviewer
Sean Isham	MSCS Facilities Planning
Steven Kuhn	MSCS English Language Learners
Eric Luster	MSCS Community Outreach & Parental Engagement
Alicia Nutall-Simmons	MSCS School Operations
Morgan Ripski	Expert External Reviewer
Jeff Shive*	MSCS Research Planning & Improvement
Candice Sims	MSCS Human Resources
Shalisia Smith	MSCS Nutrition Services
Quache Spencer	MSCS Office of Charter Schools (Lead Reviewer)
Tracy Tapp	MSCS Exceptional Children
LaKeva Thompson	MSCS Curriculum & Instruction
Sonja Wright	MSCS Professional Learning & Support

*\*Did not submit feedback in the amended application round*

The Empower Memphis Career and College Prep initial application received the following ratings from the MSCS review committee:

Sections	Ratings
Academic Plan Design and Capacity	Partially Meets Standard
Operations Plan and Capacity	Partially Meets Standard
Financial Plan and Capacity	Partially Meets Standard

After the MSCS review committee completed its review and scoring of the initial application, its recommendation was presented to the MSCS Board of Education on April 25, 2023. Based on the review committee's recommendation, the MSCS Board of Education voted to deny the initial application of Empower Memphis Career and College Prep.

### District Denial of Amended Application

The review committee assembled by MSCS to review and score the Empower Memphis Career and College Prep amended application mirrored that of the committee that reviewed the initial application. Upon resubmission, the MSCS review committee conducted a review of the amended application, and the amended application received the following ratings from the MSCS review committee:



Sections	Ratings
Academic Plan Design and Capacity	Meets or Exceeds Standard
Operations Plan and Capacity	Meets or Exceeds Standard
Financial Plan and Capacity	Meets or Exceeds Standard

After the MSCS review committee completed its review and scoring of the amended application, its recommendation was presented to the MSCS Board of Education on July 18, 2023. At the July 18, 2023 board meeting, the MSCS Board of Education voted to deny the amended application of Empower Memphis Career and College Prep due to MSCS Board Policy 1011.

**Commission Review Committee’s Evaluation of the Application**

Following the denial of the Empower Memphis Career and College Prep amended application and subsequent appeal to the Commission, Commission staff assembled a diverse review committee of internal and external experts to independently evaluate and score the Empower Memphis Career and College Prep amended application. This review committee consisted of the following individuals:

Name	Title
Kristine Barker	External Reviewer
Scott Campbell	External Reviewer
Serenity Greeno	External Reviewer
Melanie Harrell	Commission Staff
Maggie Lund	Commission Staff
Nate Parker	Commission Staff

The review committee conducted an initial review and scoring of the Empower Memphis Career and College Prep amended application, a capacity interview with the sponsor, and a final evaluation and scoring of the amended application, resulting in a consensus rating for each major section. The review committee’s consensus rating of the Empower Memphis application was as follows:

Sections	Ratings
Academic Plan Design and Capacity	Meets or Exceeds Standard
Operations Plan and Capacity	Meets or Exceeds Standard
Financial Plan and Capacity	Meets or Exceeds Standard

The review committee recommends the approval of the amended application for Empower Memphis Career and College Prep because the applicant’s proposed academic plan is mission-aligned, robust, and well researched, the applicant has a clear start-up and facilities plan. The applicant has demonstrated community support within the application for the school and proposed model, and the applicant has demonstrated sound financial and budgeting practices that are conservative and flexible to meet the needs of the organization.

The academic plan presented by the applicant proposes an innovative college and CTE-focused model that is intentionally designed to start in kindergarten and offers students exposure to potential career and college opportunities. The applicant has demonstrated support for this model within the community, and despite cited declining enrollment within the proposed area, already has secured 98 intents to enroll for the school. The applicant’s proposal includes an extended school day to allow for additional instructional time in ELA and math, and the applicant outlined Empower 360 blocks that focus on college and career aligned “club” opportunities such as art, music, and

STEM. The applicant also outlined significant time in the day devoted to RTI<sup>2</sup>, understanding that many of the students served will have foundational gaps. Finally, the applicant demonstrated expertise and a clear plan to serve special populations of students.

The applicant's operations plan is sound due to a detailed start-up plan that the applicant is already executing and demonstrates capacity and expertise amongst the board. The proposed governing board for the school has diverse experience in finance, legal, real estate, and academics. During the capacity interview, the board and applicant outlined two facility options that are being pursued that are both previous schools requiring minimal renovations. The applicant also outlined a conservative staffing plan as the school scales opening and a teacher recruitment plan that includes many organizations such as Teach for America, Memphis Teacher Residency, and Teach 901. Although the review committee voiced concerns surrounding whether the proposed teacher pay structure was adequate in the staffing plan, the applicant stated that the budget was flexible, and the robust professional development plan and opportunities for growth within the organization should be an asset in recruiting teachers.

The financial plan includes sound proposed budgets, strong fiscal policies, and demonstrates financial expertise amongst the board. Though the review committee found that the application understated some expenses, such as contracted services for special populations of students and teacher recruitment costs, the review committee determined that the financial expertise within the board and the conservative and flexible nature of the budget could account for adjustments to these expenses. The budget also outlines \$650,000 in grant sources for start-up funding in Year 0, with \$100,000 already being secured through a BES grant. The founding members of the leadership team stated that they have not yet applied for additional philanthropic funds locally, although they intend to utilize those channels should they need them or to acquire a long-term facility. The applicant outlined reasonable assumptions for the acquisition and renovation of a short-term facility and has partnered with EdTech to assist in the development of the budget and future back-office support. The applicant also outlined a financial contingency plan should enrollment in Year 1 not materialize as anticipated.

For the aforementioned reasons, the review committee found that the sponsor meets or exceeds the standard for approval based on the state's scoring rubric.

For additional information regarding the review committee's evaluation of the Empower Memphis Career and College Prep amended application, please see **Exhibit A** for the complete Review Committee Recommendation Report, which is fully incorporated herein by reference.

### **Public Hearing**

Pursuant to statute<sup>5</sup> and Commission Policy 2.000, a public hearing chaired by the Executive Director was held on August 30, 2023. MSCS's presentation at the public hearing focused on the application review process details, the chosen reviewers of the application, and the outcome of the review. Representatives from MSCS indicated that the Empower Memphis amended application was denied based on Memphis-Shelby County School Board Policy 1011, which limits the board from approving charter schools to open in areas of oversaturation. However, the district noted that the MSCS review committee, which does not consider the MSCS Board of Education policy, rated the application as meeting or exceeding the standard in each area of the application.

In the sponsor's opening statement, the proposed school's founder discussed the uniqueness of Empower Memphis's CTE-focused model and the demonstrated community support for this model. She discussed that despite the school meeting all requirements in alignment with the scoring rubric, the application was denied based on

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<sup>5</sup> T.C.A. § 49-13-108

oversaturation in the neighborhood. The sponsor stated this is a clear disservice to families when examining the quality of seats within the neighborhood. The sponsor continued to explain that within the region they propose to locate, the child poverty rates are as high as 77%, and the majority of the seats within the Orange Mound and South Memphis neighborhoods are marked by persistent underperformance. Of the 15 lowest performing schools identified by Memphis-Shelby County Schools, nine of them are located in the Orange Mound and South Memphis area. Additionally, to ensure they fulfill their Year 1 enrollment targets, the applicant collaborated with Tennesseans for Student Success and have concluded that there are approximately 4,600 households of appropriately aged students who have expressed a willingness to explore new and better options. The school's founder stated that the school already has secured 98 intent to enroll commitments in the area and urged the Commission to consider the quality of seats and the support in the area for their unique model instead of saturation.

During questioning by the Commission, representatives from Memphis-Shelby County Schools explained the process that the review committee took to evaluate the application including the make-up of both internal and external experts within the review committee, who reviewed each part of the application, and who participated in the capacity interview. When questioned about the MSCS Policy 1011 regarding the oversaturation of the area the proposed school aims to locate, representatives from MSCS explained that the policy looks only at the number of seats available within an area, not the quality of seats. Also, it was explained that the majority of charter schools in Memphis do not meet their enrollment capacity goals over their terms due to the number of charter schools located in Memphis. Further, the district is trying to right-size the footprint as to what schools should remain open in which communities based on number of seats needed. The district stated that this is to ensure that resources are not diluted across schools if there are not enough students to fill seats. While the school system recognizes that the quality of the seat is important, it is a priority for the school board to ensure that there are enough students to fill seats regardless of quality.

The Commission then questioned the sponsor. The proposed school's founder spoke to efforts made to engage with the proposed community about a career-focused elementary school, demonstrating that 90% of families surveyed expressed interest in the model due to limited options in the area. Additionally, the sponsor has reached out to local daycares and early learning centers to begin building a pipeline of potential students. The applicant then spoke to updates regarding their facility plan, stating they are working with a team and real estate broker to determine a potential facility, and have conducted walkthroughs in two prospective sites that are former MSCS schools. They have started communicating interest to potential properties, and upon authorization, they will pursue their top options. The applicant also has two contingency property sites that can be leased as temporary school sites if needed. The sponsor also provided an update regarding start-up funding, stating that they have secured funding from BES, are actively securing funding from other grants, and are awaiting the availability of applying for the Charter School Program grant. They have worked with an external partner to review their budget and determine needs, and they have the opportunity to come back to the organization in the fall should they need additional support in getting further funding for the school. The sponsor stated that they have conservatively budgeted to ensure that the school can operate with limited reliance on grant funds after Year 3.

The public hearing concluded with closing statements by both parties and the receipt of seven in-person comments, with none speaking in support of MSCS and seven speaking in support of Empower Memphis Career and College Prep. The Commission also accepted written comments, and the Commission received 80 written comments, with none writing in support of MSCS and 80 writing in support of Empower Memphis Career and College Prep.



## ANALYSIS

State law requires the Commission to review the decision of the local board of education and determine if the application “meets or exceeds the metrics outlined in the department of education’s application-scoring rubric and<sup>6</sup>,” whether “approval of the application is in the best interests of the students, LEA, or community<sup>7</sup>.” In addition, pursuant to T.C.A. § 49-13-108, the Commission adopted the State Board of Education’s quality public charter schools authorizing standards set forth in State Board Policy 6.111 and utilizes these standards to review charter applications received upon appeal. In making my recommendation to the Commission, I have considered the Review Committee’s Recommendation Report, the documentation submitted by both the sponsor and MSCS, the arguments made by both parties at the public hearing, and the public comments received by Commission staff and conclude as follows:

The Review Committee’s report and recommendations are thorough, citing specific examples in the application and referencing information gained in the capacity interview in support of its findings. For the reasons explicated in the report, I agree that the Empower Memphis Career and College Prep amended application did rise to the level of meeting or exceeding the standards required for approval.

The sponsor has set forth an academic plan that has a clear mission and vision aligned with the stated community need. The sponsor’s academic plan is unique in its approach and offering to the elementary students in the Orange Mound/South Memphis area. The career exploration program presents an opportunity for students in elementary school to discover new potential careers through club blocks. As discussed in the capacity interview, if approved, the applicant’s waiver regarding early release days will be evaluated to determine if this proposed school calendar meets the Tennessee Department of Education’s requirements for approval. Ultimately, the waiver may not be necessary to accomplish what the sponsor is planning for its overall school calendar. However, I am confident in the sponsor’s acknowledgment that the school must meet all instructional time and day requirements, and the sponsor will adjust its overall academic calendar, if necessary.

The sponsor also presented a strong showing of community support, and the application included a significant number of intents to enroll. While community support is always a strength of an application, I have very strong concerns about how this support translates into enrollment. MSCS has adopted local policy 1011, giving noted consideration to seat saturation by region of the district. The Empower Memphis application was denied by the MSCS school board based on this policy. During the public hearing, representatives of MSCS explained that the location where Empower is proposing to locate is currently oversaturated. The area has more seats than students, and, despite a need for quality seats in that geographic area, the local board’s decision reflects the efforts by Memphis-Shelby County Schools to right-size its footprint.

The Commission, as an independent state agency, is not bound by the local policy. However, this is a factor that I urge the Commission to consider in their deliberations and ultimate decision in this appeal. I believe that the sponsor has put forth a strong academic model and has shown great community demand for this school in this area. I appreciate that the sponsor wants to provide a high-quality school option in this part of Memphis. However, I significantly weigh the fact that the area of Memphis has far more available seats in schools than it has students. Even within the application, the sponsor noted the overall decline in enrollment across schools in this area, including both charter schools and district-run schools. If the school can enroll its desired number of students, I believe that there is a great chance for success for this sponsor. However, there is a real possibility that, after approval, Empower will be unable to meet its enrollment targets, and ultimately, this will create a greater deficit for the community. Given the

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<sup>6</sup> T.C.A. § 49-13-108(5)(D)

<sup>7</sup> *Id.*



trend for all new start charter schools, there is a high likelihood that this school will not meet its Year 1 targeted enrollment. The Commission in its ultimate decision on this appeal must weigh both facts: that the application is high quality, and that there are far more seats in the Orange Mound/South Memphis area than students in the area. While I believe in the overall merits of the application, the decision ultimately lies with this Commission.

I believe that the sponsor's operations plan meets the standard for approval. Establishing a new public charter school is a significant responsibility, and I believe that the sponsor has taken the steps necessary to be successful. The board for Empower Memphis is diverse and varied in their experience and expertise. Additionally, I believe the proposed school leader, as a Build Excel Sustain fellow, has received the training and support to successfully implement the start-up plan of this public charter school. Additionally, the application details a sufficiently conservative staffing plan and a strong governance structure to implement the proposed school model. The facility plan set forth through the application seems feasible for a new public charter school. The sponsor has demonstrated an understanding of the timeline for renovation and beginning a lease for a facility. While I believe that the sponsor's application meets standards in the operations plan on its merits, again, the saturation in the area where the sponsor proposes to locate will have consequences on all aspects of the school's success. The school supports, such as transportation and food services, will be affected by the saturation of the area. It will be necessary for the sponsor to be intentional in all of its business operations and the capacity of the school as it works to establish itself within the Orange Mound/South Memphis community.

Finally, I believe the sponsor's financial plan is sound and supports the opening of a school. Being a new operator is challenging when it comes to financial planning, as many grants are provided only after approval is received. However, the leader set forth evidence of funding sources, many being philanthropic, that are contingent on the approval of the application. I am confident that once secured, these sources will provide the fiscal support for the growth and implementation of the school's plan. As noted within my analysis, the school's overall financial viability will depend on it meeting its enrollment targets. If it does not meet these targets, it will need to immediately seek additional funding to maintain successful operations. However, I also acknowledge that the sponsor has a thoughtful plan, understands the risks, and has done as much fundraising as possible to meet the standard for approval.

Any authorized public charter school is entrusted with the great responsibility of educating students and a significant amount of public funds. For these reasons, the Commission expects that only those schools that have demonstrated a high likelihood of success and meet or exceed the required criteria in all areas will be authorized. Ultimately, a school must have a strong academic, operational, and financial plan and meet its enrollment targets to be successful. My recommendation to the Commission is based on the fact that I believe the application does meet or exceed the standard of the state's scoring rubric, and, if this school opens successfully, would be in the best interests of the students, the LEA, or the community. However, I do not take lightly the oversaturation in this area of Memphis, and the need for all entities to support ensuring that resources are not overly diluted for schools. The Commission needs to consider this risk as it decides on this appeal.

Therefore, for the reasons expounded on in this report, I recommend that the Commission approve the Empower Memphis Career and College Prep amended application.





### CONCLUSION

For these reasons, and for the reasons stated in the Review Committee Report attached hereto as **Exhibit A**, I do believe that the decision to deny the amended application for Empower Memphis Career and College Prep was contrary to the best interests of the students, the LEA, or the community. Therefore, I recommend that the Commission approve the amended application for Empower Memphis Career and College Prep.

A handwritten signature in black ink that reads "Tess Stovall". The signature is written in a cursive style.

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Tess Stovall, Executive Director  
Tennessee Public Charter School Commission

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10/2/23

Date



## EXHIBIT A

### Charter Application Review Committee Recommendation Report

October 6, 2023

School Name: Empower Memphis Career and College Prep Charter School

Sponsor: Empower Career and College Prep Schools

Proposed Location of School: Memphis-Shelby County Schools

Evaluation Team:

- Kristine Barker
- Scott Campbell
- Serenity Greeno
- Melanie Harrell
- Maggie Lund
- Nate Parker

This recommendation report is based on a template from the National Association of Charter School Authorizers.



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## Introduction

Tennessee Code Annotated (T.C.A.) § 49-13-108 allows the sponsor of a public charter school to appeal the denial of an application by the local board of education to the Tennessee Public Charter School Commission (“Charter Commission”). In accordance with T.C.A. § 49-13-108, the Charter Commission shall conduct a de novo, on the record review of the proposed charter school’s application, and the Charter Commission has adopted national and state quality authorizing standards to guide its work. As laid out in Charter Commission Policy 3.000 – Core Authorizing Principles, the Charter Commission is committed to implementing these authorizing standards that are aligned with the core principles of charter school authorizing, including setting high standards for the approval of charter schools in its portfolio.

In accordance with T.C.A. § 49-13-108, the Charter Commission adopted Charter Commission Policy 2.000 – Charter School Appeals. The Charter Commission has outlined the charter school appeal process to ensure the well-being and interests of students are the fundamental value informing all Charter Commission actions and decisions. The Charter Commission publishes clear timelines and expectations for applicants, engages highly competent teams of internal and external evaluators to review all applications, and maintains rigorous criteria for approval of a charter school. In addition, the Charter Commission plans to evaluate its work annually to ensure its alignment to national and state standards for quality authorizing and implements improvement when necessary.

The Charter Commission’s charter application review process is outlined in T.C.A. § 49-13-108, Charter Commission Policy 2.000 – Charter School Appeals, and Charter Commission Policy 2.100 – Application Review. The Charter Commission assembled a charter application review committee comprised of highly qualified internal and external evaluators with relevant and diverse expertise to evaluate each application. The Charter Commission provided training to all review committee members to ensure consistent standards and fair treatment of all applications.

## Overview of the Evaluation Process

The Tennessee Public Charter School Commission’s charter application review committee developed this recommendation report based on three key stages of review:

1. **Evaluation of the Proposal**: The review committee independently reviewed the amended charter application, attachments, and budget submitted by the sponsor. After an independent review, the review committee collectively identified the main strengths, concerns, and weaknesses as well as developed specific questions for the applicant in the three sections of the application: Academic Plan Design and Capacity, Operations Plan and Capacity, and Financial Plan and Capacity.
2. **Capacity Interview**: Based on the independent and collective review of the application, the review committee conducted a 90-minute interview with the sponsor, members of the governing board, and identified school leader to address the concerns, weaknesses, and questions identified in the application, and to assess the capacity to execute the application’s overall plan.
3. **Consensus Judgment**: At the conclusion of the review of the application and the capacity interview, the committee submitted a final rubric and developed a consensus regarding a rating for each section of the application.

This recommendation report includes the following information:

1. **Summary of the application**: A brief description of the applicant’s proposed academic, operations, and financial plans.



2. Summary of the recommendation: A brief summary of the overall recommendation for the application.
3. Analysis of each section of the application: An analysis of the three sections of the application and the capacity of the team to execute the plan as described in the application.
  - a. Academic Plan Design and Capacity: school mission and goals; enrollment summary; school development; academic focus and plan; academic performance standards; high school graduation standards; assessments; school schedule; special populations and at-risk students; school culture and discipline; marketing, recruitment, and enrollment; community involvement and parent engagement; and the capacity to implement the proposed plan.
  - b. Operations Plan and Capacity: governance; start-up plan; facilities; personnel/human capital; professional development; insurance; transportation; food service; additional operations; waivers; and the capacity to implement the proposed plan.
  - c. Financial Plan and Capacity: budget narrative; budgets; cash flow projections; related assumptions; financial policies and procedures; and the capacity to implement the proposed plan.

The Charter Commission’s charter application review committee utilized the Tennessee Department of Education’s Charter School Application Evaluation Ratings and Sample Scoring Criteria (“the rubric”), which is used by all local boards of education when evaluating an application. The rubric states:

An application that merits a recommendation for approval should present a clear, realistic picture of how the school expects to operate; be detailed in how this school will raise student achievement; and inspire confidence in the applicant’s capacity to successfully implement the proposed academic and operational plans. In addition to meeting the criteria that are specific to that section, each part of the proposal should align with the overall mission, budget, and goals of the application.

The evaluators used the following criteria and guidance from the scoring rubric to rate applications:

<b>Rating</b>	<b>Characteristics</b>
Meets or Exceeds Standard	The response reflects a thorough understanding of key issues. It clearly aligns with the mission and goals of the school. The response includes specific and accurate information that shows thorough preparation.
Partially Meets Standard	The response meets the criteria in some aspects, but lacks sufficient detail and/or requires additional information in one or more areas.
Does Not Meet Standard	The response is significantly incomplete; demonstrates lack of preparation; is unsuited to the mission and vision of the district; or otherwise raises significant concerns about the viability of the plan or the applicant’s ability to carry it out.



### Summary of the Application

School Name: Empower Memphis Career and College Prep Charter School

Sponsor: Empower Career and College Prep Schools

Proposed Location of School: Memphis-Shelby County Schools

Mission:<sup>1</sup> In partnership with families, Empower Memphis Career and College Prep is a K-8 charter school, with an unwavering obligation to accelerate academic achievement, foster individuality, and cultivate career mindsets, of all students, as early as Kindergarten. Through differentiated instruction, interest-based studies, leadership development, financial planning, and career simulations and internships, students develop future-ready skills for success in the global market.

Number of Schools Currently in Operation by Sponsor: There are no schools currently in operation by the sponsor.

Proposed Enrollment:<sup>2</sup>

Grade Level	Year 1: 2024-2025	Year 2: 2025-2026	Year 3: 2026-2027	Year 4: 2027-2028	Year 5: 2028-2029	At Capacity:
K	50	50	50	50	50	50
1	25	50	50	50	50	50
2	25	25	50	50	50	50
3	0	25	25	50	50	50
4	0	0	25	25	50	50
5	0	0	0	25	50	50
6	0	0	0	0	25	50
7	0	0	0	0	0	50
8	0	0	0	0	0	50
Totals	100	150	200	250	350 <sup>3</sup>	450

Brief Description of the Application:

The sponsor, Empower Career and College Prep Schools, is proposing to open a charter school in Shelby County, Tennessee and serve students in kindergarten through eighth grade when fully built out. The school, Empower Memphis Career and College Prep, is a new-start school and would be the first school for the sponsor. The school intends to operate in the Orange Mound and South Memphis communities of Shelby County to “serve as the premiere CTE school that begins at Kindergarten, in Memphis, Tennessee.”<sup>4</sup> The school proposes to offer Career Exploration and Career Technical Education and provide an opportunity for students in the Orange Mound and South Memphis area additional school options.

The proposed school will be governed by the Empower Memphis Career and College Prep’s Governing Board. In Year 0, Empower Memphis Career and College Prep has budgeted \$650,000<sup>5</sup> in revenue — comprised of \$100,000

<sup>1</sup> Amended Application, pg. 4

<sup>2</sup> Amended Application, pg. 25-26

<sup>3</sup> This chart is copied as is from the application and includes a type-o. In order to represent what was in the application accurately, it has been included as is.

<sup>4</sup> Amended Application, pg. 4

<sup>5</sup> BES funds have been awarded with other funding sources being applied upon authorization.





from the Build, Excel, Sustain (BES) Start-up Grant, \$200,000 from the Charter School Program (CSP) Start-up Grant, \$100,000 from the New School Venture Fund Start-up Grant, and \$250,000 from the Charter School Growth Fund, and projects \$443,856 in expenses for the school. Empower Memphis Career and College Prep projects the school will have \$1,500,609 in revenue and \$1,481,148 in expenses in Year 1, resulting in a fund balance of \$225,605. By Year 5, the school projects to have \$3,626,803 in revenue and \$3,551,130 in expenses, resulting in a positive ending fund balance of \$378,688.<sup>6</sup> The school anticipates that 80-85% of the student population will qualify as economically disadvantaged, 10-15% of the student population will be students with disabilities, and <5% of the student population will be English Learners.<sup>7</sup>

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<sup>6</sup> Application Budget Document for SY2024-25

<sup>7</sup> Amended Application, pg. 26

## Summary of the Evaluation

The review committee recommends the approval of the amended application for Empower Memphis Career and College Prep because the applicant’s proposed academic plan is mission-aligned, robust, and well researched, and within the application the applicant has demonstrated community support for the school and proposed model. Additionally, the applicant has a clear start-up and facilities plan, and the applicant demonstrates sound financial and budgeting practices that are conservative and flexible to meet the needs of the organization.

The academic plan presented by the applicant proposes an innovative college and CTE-focused model that is scaled to be age appropriate for elementary and middle school students. The applicant has demonstrated support for this model within the community, and despite proposing to locate in an oversaturated area of Memphis, already has secured 98 intents to enroll for the school. The applicant also outlined contingency plans to operate with fewer students should enrollment not materialize. The applicant’s proposal includes an extended school day to allow for more time in ELA and math instruction and allows for Empower 360 blocks that focus on college and career aligned “club” opportunities such as art, music, and STEM. There is also a robust RTI<sup>2</sup> plan included within the application and a clear demonstration of the knowledge and expertise needed to appropriately serve special populations of students.

The applicant’s operations plan includes multiple options for facilities, and during the capacity interview, the applicant outlined the two facilities that they are pursuing. Both potential facilities are under the outlined facilities budget and require minimal renovations. The applicant also included a conservative staffing plan as the school scales opening and a robust teacher recruitment plan. Though the proposed teacher pay structure may require adjustments to ensure the organization remains competitive, the robust professional development plan and opportunities for growth within the organization was found to be an asset in recruiting teachers. Finally, the proposed governing board for the school is knowledgeable, holds diverse expertise, and demonstrates a clear capacity to provide adequate oversight to the school.

The financial plan includes sound proposed budgets, strong fiscal policies, and demonstrated financial expertise on the board. The budget is mission-aligned and matches the proposed programmatic details throughout the application. Though certain spending categories were found to be understated, the financial expertise within the board, paired with the anticipated savings on facilities, was found to provide the school with sufficient flexibility to meet standards. The budget also incorporates grant sources for start-up funding in Year 0, with \$100,000 already secured through a BES grant. The applicant outlined a sound contingency plan should enrollment not materialize as anticipated, including diminishing staff and some school programming. The applicant outlined reasonable assumptions for the acquisition and renovation of a short-term facility and has partnered with EdTech to assist in the development of the budget and future back-office support.

### Summary of Section Ratings

In accordance with the Tennessee Department of Education’s charter application scoring rubric, applications that do not meet or exceed the standard in all sections will be deemed not ready for approval<sup>8</sup> and strengths in one area of the application do not negate weaknesses in other areas. Opening and maintaining a successful, high-performing charter school depends on having a complete, coherent plan and identifying highly capable individuals to execute that plan. The review committee’s consensus ratings for each section of the application are as follows:

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<sup>8</sup> Tennessee Charter School Application Evaluation Rubric – Ratings and Scoring Criteria, pg. 1



<b>Sections</b>	<b>Rating</b>
Academic Plan Design and Capacity	Meets or Exceeds Standard
Operations Plan and Capacity	Meets or Exceeds Standard
Financial Plan and Capacity	Meets or Exceeds Standard

## **Analysis of the Academic Plan Design and Capacity**

*Rating: Meets or Exceeds Standard*

### **Strengths Identified by the Committee**

The applicant's Academic Plan Design and Capacity meets or exceeds the standard because the applicant provided a detailed academic plan with an innovative Career Technical Education (CTE) focus that responds to community demand and the application exhibits community support, an identified location for the school, a robust proposed curriculum and internal assessment plan, and a clear plan to serve special populations of students.

The application for Empower Career and College Prep outlines a clear mission, vision, and academic plan that is aligned with a CTE focus. The proposed CTE focus is scaled by grade level to ensure appropriate exposure to career and college opportunities for all students. The application outlines the purpose of the Empower 360 blocks included within the schedule as "club" blocks during the day to expose students to different career pathways such as STEM, arts, and music. There is also a strong research base within the application that clearly explains the benefits of a CTE education, particularly for underserved communities. The applicant proposes an extended school day offering additional time for students for RTI<sup>2</sup>, math, and ELA instruction. When asked in the capacity interview about how this day would be structured for younger students to ensure adequate break time, the applicant stated that the younger students will have recess and brain breaks throughout instructional time to ensure age-appropriate scaling of instruction. Science and social studies content is embedded within the extended ELA content blocks with additional 30-minute blocks for standards-aligned instruction for those subjects. While the review committee had concerns if this allocated instructional time was adequate for those subjects to cover Tennessee Academic Standards, the review committee found evidence of capacity within the school leader and board to make instructional adjustments based on internal data the school plans to track.

Another strength in the proposal is the demonstrated community support for the school with the applicant already having secured 98 intents to enroll from families and roughly 80% of the letters of support provided within the application being from prospective families. The school's proposed founder elaborated on the process taken to engage and respond to community need during the capacity interview, stating the community in which they propose to locate has some of the highest poverty rates in the city and some of the lowest performing school options. The applicant engaged families within the area prior to designing the school model to determine what the community wanted to see in a high-quality school option. During the capacity interview, the applicant responded to questions regarding oversaturation and declining enrollment in the Orange Mound/South Memphis area in which the school proposes to locate. The applicant has begun canvassing neighborhoods and working with local daycares to raise awareness for the proposed school and believes that based on the number of intents to enroll collected, they are on track to meet Year 1 enrollment targets. The applicant also described a contingency plan should enrollment not materialize as expected, stating that they budgeted conservatively at only 100 students for student-based revenue assumption, and that they could remain solvent at a lower number, such as 75 students, if necessary.

The applicant also included a robust and research-based curriculum plan within the proposal. The application details many internal assessments that will be utilized to track student progress, including I-Ready diagnostic assessments, NWEA MAP assessments that will be used as the universal screener for RTI<sup>2</sup>, and other internally created benchmarks aligned to state standards. While the applicant proposes early release days on Fridays for professional development that are heavily focused on student data analysis, it is unclear if these will be allowable by State Board Rule. The review committee was satisfied with the applicant's response to adjust the professional development plans and calendar as necessary, should the planned early release days ultimately not be in compliance with instructional



time and day requirements when school calendars are approved by the Tennessee Department of Education. The application includes a robust RTI<sup>2</sup> program and demonstration of knowledge and expertise in appropriately planning for and serving special populations of students. During the capacity interview, the applicant clearly outlined how they would ensure appropriate tracking of teacher to student ratios and compliance and add additional staff as needed.

## **Analysis of the Operations Plan and Capacity**

*Rating: Meets or Exceeds Standard*

### **Strengths Identified by the Committee**

The applicant's Operations Plan Design and Capacity meets or exceeds the standard because the applicant detailed a strong facility plan, conservative staffing plans in the first few years, thorough staff recruitment plans, a robust professional development plan, and a strong start-up plan.

Within the application, the applicant outlined numerous facility options that would fulfill the required needs of the school. During the capacity interview, the applicant elaborated that the school is currently negotiating two property options that recently housed other charter schools that have transitioned to other facilities. The facilities do not need extensive renovations, and both facility options outlined were under the projected facilities budget. The applicant also explained that these facilities would be temporary facilities for the initial two to three years of operation. The applicant intends to purchase a long-term facility and plans to run a separate capital campaign to raise funds to do so.

The proposal details a conservative staffing structure in the first few years of operation. The application outlines a plan to recruit teachers through organizations such as Teach for America, Memphis Teacher Residency, and Teach 901. During the capacity interview, the review committee questioned the applicant as to whether the outlined salaries would be sufficient to retain teachers given the proposed extended school day and summer professional development requirements. The applicant stated that they expect that their innovative model and opportunities for growth into leadership roles within the organization will be attractive to potential teachers. The applicant also utilized flexible and conservative budgeting practices and stated that they will adjust as necessary to ensure fair pay for teachers. The applicant has also already begun looking into and securing vendors for contracted services in alignment with their start-up plan, and the applicant has allocated sufficient funds for these services.

Within the application, the applicant demonstrated a robust professional development plan for teachers. This professional development plan includes three weeks of professional development during the summer that focuses on student data analysis, school protocols and procedures, curriculum, instruction, and school culture. The professional development plan continues throughout the school year with data meetings and professional development offerings that are differentiated and responsive to teacher needs. The coaching plan within the application also directly supports the outlined professional development. The applicant's robust plan for teacher development will also be a recruitment tool for teachers as it offers clear opportunities for growth, not only as a teacher, but growth within the organization as future leaders.

Finally, the governing board for the proposed school is knowledgeable and has diverse experience including legal, financial, academic, and facilities experience. During the capacity interview, it was clear to the review committee that the governing board is heavily involved in the development and implementation of the proposed school model. The capacity of the board to provide appropriate oversight of the organization is clear throughout the application and was evident during the capacity interview.



## **Analysis of the Financial Plan and Capacity**

*Rating: Meets or Exceeds Standard*

### **Strengths Identified by the Committee**

The applicant's Financial Plan Design and Capacity meets or exceeds the standard because the proposed budget is sound, there are strong contingency plans in place, and the board demonstrates financial expertise.

The proposed budget matches the programmatic details and staffing described throughout the application. Reasonable assumptions are provided for start-up expenses and the five-year budget is complete and viable with positive margins. The budget narrative clearly explains and supports low revenue assumptions, clearly describes how costs are determined, and was approached with a conservative strategy. While the review committee determined that the financial plan met standards, the committee found that certain budget categories include understated expenses assumptions. For example, all services for special populations of students that a teacher cannot provide will be conducted by external contractors, and the outlined budget for this is not reasonable given the projected student population. Also, the teacher recruitment budget, particularly given the school intends to contract with agencies such as Teach for America, is low in comparison to market rates considering the recruitment needs of the school. The review committee inquired regarding these expense assumptions during the capacity interview. The applicant described that the budget was created conservatively, and they would be flexible, source additional fundraising as needed, and adjust their plans to accommodate additional expenses as needed. Additionally, the board has an articulated plan and structures in place to manage and monitor the financial health of the proposed organization and demonstrated clear financial expertise during the capacity interview. The staffing plan indicates the hiring of a Director of Operations and Culture during Year 0 to provide school-level financial capacity, and the school has contracted with EdTech, an experienced back-office provider, to assist in back-office support.

The application lists a projected \$650,000 in grant sources for start-up funding in Year 0, including New Schools Venture Fund, Charter School Growth Fund, and the Charter School Program grant. Included in the grant revenue is a BES grant of \$100,000 that has been secured, which will be used for the founder's salary in the first year and additional start-up costs. The budget for Year 0 and subsequent fund balance in the first few years of operation are heavily reliant upon securing philanthropic funding. Though these funds have not yet been secured, during the capacity interview, the applicant was able to speak to an extensive list of potential funders, some of which have already indicated an interest or intent to support upon authorization.

The projected fund balance is positive each year of operation, though lower than anticipated enrollment could have significant impacts on the budget. The application cites declining enrollment in the area and lower than anticipated enrollment in Year 1 is often common in new charter schools. However, the number of students who already intend to enroll, as cited in the capacity interview, indicates the likelihood that the anticipated enrollment and revenue will be achieved in line with budgeted amounts and is a direct reflection of the community engagement that has occurred thus far. Additionally, there is a sound contingency plan in place should the anticipated revenue not materialize, in which staffing and non-essential programming could be adjusted without sacrificing the integrity of the academic model. During the capacity interview, the board indicated that a line of credit has been secured and will be used to fund any cash shortfalls if necessary.

Finally, a strong fiscal plan was provided in relation to their short-term facility for the first several years of operation. During the capacity interview, the applicant team indicated that they have been in conversations with landlords for two facilities, both of which would not need significant improvements. This would reduce the amounts currently budgeted for tenant improvements, ultimately creating greater flexibility and margin within the budget.



## Evaluation Team

**Kristine Barker** has over fifteen years of experience designing and implementing solutions to improve outcomes for students from the school, CMO, district and state levels. Kristine has a focused skill set in developing and executing on innovative solutions to improve education policies and practices. At the state level, she was responsible for designing and refining authorization and oversight processes for all schools, sites and programs within the Office of School Choice. She served as the state's charter authorizing content expert for state and local charter schools, overseeing the charter application, opening, and school transition processes. She led cross-departmental collaboration within the Department of Education, assisting local superintendents throughout the state, and leading frequent informational sessions for potential applicants. At the district level, Kristine developed innovative long-term portfolio strategies to meet the needs of the public school system and leveraged data to drive policy and practices to ensure stability and long-term success of the district. She oversaw the charter application process from recruitment, application, and school opening processes, continually improving equity and transparency.

**Scott Campbell** is the Cofounder and Executive Director of Persist and Persist Nashville. Persist has quickly become the largest college Persistence organization in Nashville serving over 3500 high school graduates over the past 4 years. Scott is a former classroom teacher and administrator. In his career he has worked at 6 different urban, rural, and suburban schools. He has led and taught at traditional public, magnet, and charter schools in 4 different states and DC. Before moving to Nashville he was a teacher and Assistant Principal at Thomas Jefferson High School for Science and Technology, the nation's top rated public high school. In Nashville he has helped lead and develop the early years of RePublic High School and Valor Collegiate Academies in Nashville. Before starting Persist he served as high school principal in Nashville.

**Serenity Greeno** is an educator with over 15 years of expertise in a variety of educational settings. As a public classroom teacher at the elementary and middle school levels, she has guided countless students to educational success. After serving as an online teacher at a public charter school, she transitioned into leadership roles within the school. Outside of her formal roles in education, she continues to pursue academic success for students through private tutoring. Mrs. Greeno holds a Masters of Education in Educational Leadership and is a certified teacher and administrator in California and Tennessee.

**Melanie Harrell** is the Director of Finance and Operations for the Tennessee Public Charter School Commission. Prior to working at the Commission, Melanie worked as a fiscal consultant for RePublic Charter Schools, and as the Charter School Program manager at the Tennessee Department of Education. She was a Teach For America corps member and spent three years as a classroom teacher at a charter school in Dallas County, TX where she also served as the Humanities Department Chair. She received her M.P.P in Education Policy from Vanderbilt University, and her B.A. in Political Science and Philosophy from TCU.

**Maggie Lund** is the Deputy Director of Authorizing at the Tennessee Public Charter School Commission. Additionally, she serves as an adjunct professor in the Lipscomb College of Education Master's Program, teaching Planning, Instruction, and Assessment and Building Classroom Communities. Prior to her role at the Charter Commission, Maggie served as a school administrator at a Nashville public charter school. Maggie was a Teach for America corps member and served as an 8<sup>th</sup> grade teacher in a charter school for four years. Maggie holds a B.A. in Business Administration and Marketing from Loyola University New Orleans, a Doctor of Education degree, and a Master of Education degree with a specialization in English Language Learning from Lipscomb University. Her dissertation research focused on Restorative Justice Practices and school culture. Most recently, her research article, Mindsets Matter for Equitable Discipline was published in the Middle School Journal.



**Nate Parker** is the Director of School Programs & Supports at the Tennessee Public Charter School Commission. Prior to his role at the Charter Commission, Nate served the State of Tennessee as a Federal Programs & Policy Coordinator for the State Board of Education, Director of Charter Schools for the Department of Education, and most recently as Senior Director of School Choice for the department. His state level experience worked to support charter school authorizing and the expansion of high-quality school choice options for Tennessee families. Before his tenure with the State of Tennessee, Nate worked over a decade in public school systems in Arizona, Connecticut, Ohio, and Tennessee. His work was primarily comprised of roles in public charter schools, including serving as a secondary history teacher and roles in instructional leadership, school leadership, and network operations. Nate holds a B.A. in Integrated Social Studies and an M.P.A. from Ohio State University and an M.Ed. with a specialization in secondary education from Arizona State University. He earned an Ed.D. in K-12 Education Policy & Leadership from Vanderbilt University where he served as an adjunct professor teaching Human Development in the Peabody College of Education.