



TO: School Performance and Accountability Committee

FROM: Tess Stovall, Executive Director

DATE: May 26, 2026

SUBJECT: Empower Memphis Career and College Prep Amendment Petition

Background

Empower Memphis Career and College Prep (“Governing Board”) entered into a charter agreement with the Tennessee Public Charter School Commission (“Commission”) on January 26, 2024, to establish and operate Empower Memphis Career and College Prep (“Empower”) serving students in the Oakhaven, Parkway Village, Orange Mound and South Memphis neighborhoods of Memphis, TN. Due to challenges with finding a facility, the school exercised its right to delay one year and opened in School Year (SY) 2025-26.

In SY2025-26, the school served approximately thirty students in grades K-2, significantly under the school’s original goal of one hundred students. The agreement’s maximum enrollment threshold is 450 students, with the school increasing grade levels by one grade level per year through 2030. Empower is petitioning to amend its charter agreement to expand to serve grades K-5 beginning in SY2026-27, and then continue expanding by one grade level per year thereafter until reaching K-8, with a maximum enrollment of 450 students.

Pursuant to T.C.A. § 49-13-110(d), the governing board of a public charter school may petition the authorizer to amend the charter agreement. Under Commission Rules 1185-01-01-.04(1)(c)2. and 3., a public charter school may request the addition or removal of a grade level or levels, both of which constitute material modifications to the charter agreement. While the school is already approved to serve these grades in the future, the school is not approved on the requested timeline. The Commission is responsible for reviewing and scoring the amendment application in accordance with the state’s scoring rubric, within sixty calendar days of receiving the petition.¹

Commission staff independently reviewed the amendment petition, attachments, budgets, and contingency plan submitted by Empower. In accordance with Commission Policy 3.900, following the filing of the amendment petition, Commission staff and Empower engaged

¹ Tenn. Comp. R. & Regs. 1185-01-01-.04(1)(h).

in supplemental discussions to further clarify the school's plan for supporting students transitioning into the expanded grade levels, the targeted recruitment and marketing strategies used to stabilize enrollment, the long-term facility plan, and the governing board's contingency planning to ensure fiscal solvency. The analysis below is based on materials submitted by the school and on the supplemental responses to Commission staff provided by school representatives.

Analysis

Recommendations for approval or denial of each amendment requested in an amendment application will be based on the materials submitted, as well as the authorizer's due diligence in accordance with Commission Policy 3.900. The state's amendment petition scoring rubric lays out the characteristics of a strong amendment petition, and it is on these characteristics that these analyses are based.

1. Clear, evidenced-based rationale for the proposed amendment that is aligned with the school's mission and goals, and supports the best interest of students.

The mission of Empower Memphis Career and College Prep is grounded in preparing students for long-term success through rigorous academics and exposure to career pathways in transportation, engineering, agriculture, and construction. The amendment petition states that the grade level expansion from K-3 to K-5 will strengthen the school's ability to provide early, continuous exposure to career-connected learning with a strong academic foundation by providing a vertically aligned program that can serve students in a consistent environment. If the amendment petition is granted, Empower will maintain the same enrollment target for the second year of operation, 150 students, but with different grade level configurations of twenty-five students per grade.

Evidence of community support provided within the application included sign-ins at a community event and letters of support from current families. The school provided eighteen letters of support from parents with students currently attending Empower who affirmed they would enroll their rising fourth and fifth graders in Empower should the school expand grade levels. Other recruitment efforts included strategies such as grassroots outreach, targeted marketing, and community-based recruitment. Empower also stated it is carefully tracking application-to-enrollment conversion rates and using external consultants.

Commission staff followed up to ask questions about the conversion rate for these recruitment efforts, the information shared with families regarding the school structure for next year, and the possibility of moving facilities. The operator shared it has been in communication with current and potential families that it hopes to be able to enroll the full span of K-5 next year. Additionally, the school stated it has been transparent with families that the current facility

will not be the permanent facility, and that it plans to offer transportation when the school decides to move. In a May 22, 2026 communication, enrollment projections show increased registrations in all grades K-3, and included a number of interested applicants for grades 4-5, as shown in the table below. The proposed grade breakdown would be 25 students per grade in grades K-5 should the amendment be approved.

Grade	Projected SY26-27	Applications	Registered
K	50	87	41
1	50	47	26
2	25	33	24
3	25	32	25
4	n/a	48	n/a
5	n/a	39	n/a
Total (K-3)	150	167	91
Total (K-5)	150	286	116

Throughout its first year of operation, the Commission has communicated feedback to Empower regarding gaps in the implementation of requirements. The Commission’s Performance Review Letters, sent in the Fall and Spring, noted the following deficiencies: a 50% non-compliance rate for Quarter 2 and Quarter 3 IEP and 504 desktop monitoring (district rate was 30%), five unlicensed or improperly endorsed teachers as of March 15, 2026, and a 0% drawdown rate as of April 4, 2026 for both the Schoolwide Pool and Title IA allocations under the CFA grants. Commission staff remains in frequent communication with Empower’s leadership to assist in remedying some of these issues as SY2025-26 closes.

2. Academic results provide compelling support for the proposed amendment.

Commission staff asked about progress towards mission-specific goals, as Empower does not yet serve TCAP-tested grade levels. As a result, academic progress will be measured based on mission-specific goals. Empower provided some data showing modest growth for its students on i-Ready. However, with the data provided, staff could not calculate progress towards mission-specific goals because Empower’s goals that use i-Ready data involve percentile and growth goals, which were not provided. Empower’s leadership also did not provide internal assessment data or NWEA–MAP data to inform progress on mission-specific goals.

Data provided on May 20, 2026 from i-Ready showed modest increases in proficiency throughout all grade levels in both English language Arts (“ELA”) and math. For example, kindergarten proficiency in reading went from 28% at the beginning of year to 34% at the end of the year. Given that seventeen students were enrolled in kindergarten at the time the data was provided, this percentage increase represents a small number of students, likely one based on enrollment. The most sizable increase in proficiency was shown in second grade math, which jumped from 0% proficiency at the beginning of the year to 58% by the end of year, evidenced in the table below. This should also be taken in context of the small number of about nine students of students represented in the second grade data set.

Grade-Level and Subject	Change in i-Ready Diagnostic Proficiency from BOY to EOY²	Number of Students Enrolled in Grade-Level on May 20	Estimated Number of Students Represented in the Change in Proficiency
Kindergarten ELA	+6%	17	1 student
Kindergarten Math	+0%	17	0 students
Grade 1 ELA	+7%	3	<1 student
Grade 1 Math	+17%	3	<1 student
Grade 2 ELA	+32%	9	3 students
Grade 2 Math	+58%	9	5 students

When the operator shared recent second grade academic wins during a phone call, staff questioned what leadership believed caused this increase. It was shared that it was likely a result of the school’s executive director and interventionist direct instructional support. While staff recognize these wins, there is a lack of clarity around the sustainability of that support, especially as the school increases in both student count and grade level spans. This is especially salient as Empower hopes to add up to 120 new students in the upcoming school year.

The amendment petition also stated students entering below grade level was a challenge for instructional staff, as students entered the school below anticipated proficiency. Commission staff asked how it is prepared to support teachers to aid students coming in with significant learning deficits, as proficiency is low at neighborhood schools. Leadership shared its plan to

² As provided from the school on May 20, 2026

support these students by heavily preparing teachers during professional development over the summer and throughout the year. The professional development plan shared with Commission staff details two weeks of training for teachers in July 2026, with some differentiated sessions for new hires. The professional development plan also includes instruction in various buckets including training in academics and data, culture, and college and career readiness.

3. Realistic and detailed budget that explains the financial impact of the proposed amendment and clear evidence that the financial outlook of the school supports the costs associated with the proposed amendment.

The operator provided an initial budget and financial projection within the amendment petition, incorporating the financial impact of the proposed grade band adjustment. In its petition, the operator framed the proposed adjustment as a budget-neutral, structural reallocation of student enrollment rather than an expansion, maintaining its original cap of 150 students in SY2026-27. The amendment petition established that because total student volume would remain constant, core instructional, specialized, and student support staffing models would require minimal operational changes, resulting in a self-sustaining budget model that does not rely on uncommitted philanthropic support.

To evaluate the operational realities behind these projections, Commission staff issued supplemental questions probing the school's baseline fiscal stability and its sensitivity to enrollment fluctuations. These inquiries follow multiple conversations and monitoring touchpoints conducted by Commission staff with the operator throughout SY2025-26 regarding persistent financial concerns driven by the school's ongoing under-enrollment. In response to these clarifying questions and during subsequent discussions, school leadership identified that its absolute minimum enrollment threshold to continue basic operations for SY2026-27 is sixty-five students. However, a comparison of this operational baseline against current metrics reveals that this sixty-five-student minimum sits far above the school's SY2025-26 enrollment numbers, placing the operator in a position of significant financial risk going into the upcoming school year. Furthermore, this model assumes the school remains in its current facility and fails to account for the additional financial strain the operator would face should it implement the intended transportation services beginning in SY2026-27.

Moreover, significant concerns with the school's financial outlook persist within the amendment record. Commission staff explicitly requested targeted financial modeling and detailed minimum enrollment scenarios to test the school's fiscal baseline for sustaining operations into the next school year. However, in subsequent responses to financial inquiries, the operator presented a minimum threshold of 120 students. When requested by Commission staff to clarify the difference between these two figures (65 versus 120), the operator explained that the sixty-five-student figure represented a stripped-down, bare-minimum survival scenario

requiring severe operational adjustments, including deeply reduced expenditures, flexible staffing rollbacks, and the continuation of the current low-overhead facility lease. Conversely, the 120-student figure represents the true threshold required for a sustainable operational model in SY2026–27 if the school is to maintain the proposed programming and personnel structure without making significant cuts to personnel or programming.

Furthermore, the school's financial projections for the current operating year indicate that its projected net income yields minimal margins. While this limited fiscal position is a predictable outcome of the school's current under-enrollment, it means the operator will begin the upcoming school year with critically low financial reserves. Consequently, this creates heightened vulnerability and financial risk regarding the school's capacity to sustain fixed operational costs and facility obligations heading into the next school year. The school's immediate fiscal health remains highly vulnerable given the current under-enrollment.

While the school points to early registration data as evidence of upward enrollment momentum, these metrics are undermined by an unproven application-to-enrollment conversion rate. Historical data for new operators and Empower's enrollment from the SY2025-26 school year demonstrates that raw application counts and registrations do not automatically translate into actual first-day student attendance. Because the operator has not yet proven a reliable conversion methodology, it remains an open question whether these early numbers will materialize into fully funded student enrollments on day 1.

4. Thoughtful and realistic facility plans that accommodate the proposed amendment.

Regarding facility plans, the amendment application notes that its current facility can support a maximum capacity of 450 total students, which exceeds the 150 students planned for SY2026–27. To accommodate the proposed new grade levels, the applicant has identified two classrooms and a flex space that are not currently being utilized, which will support adding grade levels while still providing space for pull-out services. The applicant also notes that the current facility's rent is approximately \$2,300 per month, which is significantly less expensive than traditional charter school spaces.

Commission staff notes that the operator's short-term facility plans are complicated by operational constraints and unresolved long-term uncertainties. Although the current building's total capacity is 450, Empower currently co-locates with another charter school, meaning the operator would likely be unable to utilize the building at full capacity, leaving the exact boundaries of shared space usage unclear, as well as the length of time this arrangement remains operationally feasible.

Long term, leadership intends to identify and relocate to a permanent facility within the Orange Mound/South Memphis neighborhood, where the school originally planned to be

located. While the operator has laid out additional long-term facility options, Commission staff has determined that the other facility options presented within the amendment are not viable pathways for the school at this time because of the school's enrollment. Given the high-stakes enrollment volatility and the fact that current actual enrollment numbers sit far below the sixty-five-student operational floor, and the 120-student enrollment floor for programmatic efficacy, Commission staff determines that there is far too much financial risk to consider a long-term facility transition at this stage. While the low overhead of the current lease provides short-term relief, significant questions remain regarding how the school will successfully navigate a future relocation while simultaneously attempting to stabilize its baseline student enrollment and financial solvency.

In short, even though multiple facility options were presented within the amendment process, Commission staff has determined that the current facility is the only financially viable option at this time. For example, when asked what the minimum enrollment would be to remain financially viable under the larger facility model currently being explored, preliminary projections indicate that approximately 350 students would be needed to maintain a break-even operating position based on current assumptions included within the draft model. Should this amendment be approved, it must remain clear that approval would be based on the school operator remaining at the currently viable location, which would allow the school the opportunity to get to a more financially viable enrollment.

According to the current charter agreement, notification to the Commission would be required prior to any proposed location change, at which point the Commission would determine whether the relocation constitutes a material change to the agreement. This assessment would be based not only on geographical distance, but also on the direct financial impact, which must be re-evaluated given the school's current fiscal position and overall viability questions. Furthermore, any future transition would require verification of a sustainable minimum enrollment to ensure operational capacity, particularly because the options listed in the operator's subsequent responses are approximately ten times the cost of the current lease.

5. Detailed implementation plan with a realistic timeline that addresses the operational impact of the proposed amendment.

The amendment petition provides a clear timeline that addresses the operational impact of the proposed amendment, including a heavy recruitment and transportation focus beginning in April 2026 and continuing throughout the summer. The school has already worked on increasing recruitment efforts in the current neighborhood. Empower has also started messaging the possibility of increasing the grade span through fifth grade in the upcoming school year to current families.

Increased transportation planning is also a key element of the timeline of the amendment, as transportation was found to be a key barrier to enrollment this past year. Areas of focus include recruiting in more transportation-accessible areas, and earlier communication with families as to the necessity of having consistent transportation and the expectation that students attend school daily. Additional improved transportation planning includes centralized pickup options, planning logistics and routes better, and looking into transportation partnerships. The provided timeline includes working on transportation support beginning in June 2026 to ensure the proper support at the beginning of the school year and consistent attendance from the beginning of the year.

The timeline provided also includes staff recruitment to serve grades 4-5. Empower will maintain a comparable staffing structure while expanding grade levels. The key shift indicated is that there will be one classroom per grade level rather than multiple classrooms for younger grades. The petition states the hiring process has been modified to specifically address the challenges staff faced this past school year. Empower hopes to ensure alignment before the school year to reduce staff turnover. Staff hiring must be finished by mid-July, as professional development starts on July 13, 2026. It will be key to hire teachers by this date as the amendment petition states Empower will work on reducing teacher turnover by supporting teachers and strengthening culture which starts before the school year begins for students.

6. Clear evidence of support for the proposed amendment from parents, staff, and community partners.

The amendment petition noted that engagement with families revealed that the current model of phased rollout created barriers to enrollment for families with students in higher elementary grades due to the logistics of sending students to multiple schools. Providing a full K-5 spectrum would allow families to enroll all elementary-aged children at Empower and relieve the burden of transporting students to multiple elementary schools.

Parent letters of support provided within the amendment petition showed parent interest in sending students to Empower for grades 4-5. Sign-in sheets from community events were also provided in materials, showing further community engagement regarding the future of the school. Empower's governing board has worked with leadership to address this proposed change. The governing board was presented multiple scenarios and ultimately voted to pursue the scenario of amending the charter agreement to serve grades K-5 in SY2026-27.

Empower has also begun reaching out to build relationships with community partners and local networks to share the proposed changes and recruit families who would hope to send all elementary-aged children to the same career-focused elementary school.

7. Compelling evidence of unanticipated extraordinary circumstances supporting the filing of an emergency amendment application

In justifying the need for an emergency amendment petition, the governing board stated that it was presented with an immediate opportunity to address unexpected student displacement in the community while simultaneously tackling structural under-enrollment challenges for the upcoming school year. This opportunity arose following sudden local school closures and persistent enrollment deficits within the current operator's model. The requested grade band adjustment allows Empower to open critical enrollment pathways for students displaced by these abrupt closures and accommodate upper-elementary aged siblings of currently enrolled students.

To stabilize its student pipeline and ensure immediate operational sustainability, Empower moved forward with an amendment petition requesting that the school serve an adjusted grade configuration for SY2026-27. The operator stated that adjusting the grade bands represents a proactive and necessary response to recent, unforeseen market shifts that directly impacted the community. Commission staff acknowledges that the closure of neighboring schools represents an unanticipated extraordinary circumstance that alters the local educational landscape. Furthermore, staff recognizes that under-enrollment poses an immediate risk to the school's model and agrees that strategic modifications are worth exploring to address these fiscal and operational challenges.

The governing board stated that this grade band adjustment provides Empower with the immediate flexibility needed to reach stabilization, asserting that the change is budget-neutral and reallocates the original 150 student goal for Year 2 across a high-demand grade structure. Commission staff supports the operator's efforts to proactively mitigate under-enrollment through this structural adjustment. While noting that the school's identified minimum viability threshold of sixty-five students sits above current enrollment and that alternative facility options explored in subsequent discussions are not viable at this time, staff agrees that an emergency intervention is appropriate. Enabling the operator to capture this unexpected student interest at their current location provides a meaningful pathway toward stabilizing baseline enrollment and ensuring long-term fiscal health.

Findings of Fact

Throughout the review of Empower's amendment application, Commission staff focused on the characteristics of a strong response as defined by the state's rubric. If approved, the Commission will permit Empower to offer grades K-5 in SY2026-27 and then increase one grade level each year until reaching a fully built-out model serving grades K -8. Additionally, the school will increase enrollment year-over-year to a total maximum enrollment of 450 students. It is

important to note that an amended charter agreement will reflect these changes, applicable to the current active agreement set to expire on June 30, 2036.

However, a comprehensive analysis of the record reveals critical tensions between the operator's programmatic goals and its current operational vulnerabilities:

- Commission staff affirms that recent, sudden local school closures constitute an unanticipated extraordinary circumstance. Staff supports the operator's emergency petition to adjust its grade band configuration as a justifiable mechanism to capture displaced student demand and accommodate upper-elementary siblings, directly addressing the school's acute under-enrollment challenges.
- The academic track record remains unproven. While internal i-Ready data reflects isolated pockets of modest growth, specifically in second-grade mathematics, overall proficiency remains low. The sustainability of these academic gains is questionable given that recent progress relied on intensive, localized intervention by the Executive Director, a strategy that cannot easily scale as the school attempts to add up to 120 new students next year. Furthermore, the operator's capacity to mitigate significant learning deficits depends heavily on a two-week summer professional development plan to stabilize instruction and manage teacher turnover.
- The school's financial position is exceptionally fragile. School leadership identified an absolute minimum operational floor of sixty-five students required to maintain baseline solvency for SY2026–27. The true figure to maintain programmatic continuity as stated by the operator is 120 students. The threshold for minimum enrollment of sixty-five students is far above the SY2025-26 enrollment numbers. This fiscal volatility is deeply intertwined with facility logistics. The school's current lease possesses a highly affordable monthly rent of approximately \$2,300, which provides the financial flexibility that keeps the sixty-five-student floor viable. Conversely, alternative facility options explored in subsequent discussions were determined by Commission staff to be roughly ten times the cost of the current lease and are completely unviable based on current enrollment and financial trends.

Conclusion

Based on the evidence presented, implementing the grade span adjustment strictly as framed within the amendment application is a prudent step to support student recruitment and address structural under-enrollment. However, because the school's fiscal viability is entirely dependent on its current low-overhead environment, any recommendation for approval is strictly limited to modifying the grade configuration at the existing location.



A transition to any other facility pathway at this stage introduces an unacceptable level of financial risk to the school's immediate survival. Therefore, should this amendment move forward with approval, it must be explicitly understood that the operator is expected to remain at its current co-located facility. In accordance with the charter agreement, any future facility relocation, modification to governing board composition, or material deviation from the core operational constraints vetted in this review will require formal notification to the Commission and must undergo a subsequent material amendment review process. At that time, the Commission will re-evaluate the direct material and fiscal impacts against verified enrollment conversion rates and updated minimum solvency thresholds.

Following discussion and deliberation on the findings of fact and analysis within this memo by the School Performance and Accountability Committee, Commission staff will update and make a final recommendation for the June 2, 2026 meeting.

A handwritten signature in cursive script that reads "Tess Stovall". The signature is written in black ink and is positioned above a horizontal line.

Tess Stovall, Executive Director
Tennessee Public Charter School Commission

May 26, 2026

Date