



TO: Tennessee Public Charter School Commission

FROM: Tess Stovall, Executive Director

DATE: June 2, 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.

On May 26, 2026, the Commission's School Performance and Accountability Committee met to discuss the petition. Empower's school leader attended the meeting and answered questions from the Commissioners. Following the committee meeting, Commission staff followed up with Empower to gather additional information prior to finalizing this recommendation. The analysis below is based on materials submitted by the school, the supplemental responses to Commission staff provided by school representatives, and the discussion at the committee meeting.

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 the school would serve grades K-5 rather than K-3.

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 that it has been in communication with current and potential families and 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 showed increased registrations in all grades K-3 and included interested applicants for grades 4-5, as shown in the table below. The proposed grade breakdown would be twenty-five 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	150	286	116

However, in a May 28, 2026 communication from Empower, as of May 15, Empower stated it had received 139 student applications and had sixty-one students fully registered for SY2026-27, including all required enrollment documentation. Based on this most recent communication, Commission staff believe that the school has sixty-one completed enrollments for the fall. It remains unclear whether this figure reflects newly enrolled students or is inclusive of the twenty-five students who previously expressed an intent to re-enroll. In addition, Empower stated it has documented interest from approximately seventy prospective students seeking enrollment opportunities in grades 4 and 5.

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. At the committee meeting, Empower was asked to address these issues. The Empower staff stated that the school ended the school year with all licensed teachers, and the school recently hired a new special education coordinator who has increased the compliance rate. Additionally, Empower stated that it asked the back office provider for direct support on grant submissions to ensure the school is in compliance moving forward. In subsequent responses, Empower noted that the remaining grant reimbursement requests would be submitted in June to further bolster its cash position. Commission staff remain 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 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 providing 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 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.

² As provided from the school on May 20, 2026

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 projected enrollment 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 are in addition to the multiple conversations and monitoring touchpoints conducted by Commission staff with the operator throughout SY2025-26. This analysis, however, revealed conflicting models within the amendment record, with the operator presenting viability thresholds of both sixty-five and 120 students for the upcoming SY2026-27.

When requested to clarify this discrepancy, the operator explained that the sixty-five student figure represents a stripped-down, bare-minimum survival scenario. To operate on this margin, the school would require severe operational adjustments, including deep expenditure cuts, flexible staffing rollbacks, and the continuation of the current low-overhead facility lease. Crucially, the school clarified in a May 29, 2026 communication, following the School Performance and Accountability Committee meeting, that this survival model excludes the cost of transportation, a service the operator has explicitly identified as vital to attracting and recruiting students. Because the school is highly unlikely to reach even this minimum enrollment threshold without offering transportation, Commission staff affirm that the sixty-five student model is not a viable baseline. Conversely, the 120-student figure represents the true threshold required for a sustainable operational model if the school is to maintain its proposed programming, personnel structure, and necessary transportation services. Based on the current registrations, the school needs to double its enrollment in two months to meet this 120-student baseline enrollment.

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. Following

the committee meeting, the school provided further clarification regarding its financial position. Although projected net income remains low, the school's current cash position is positive and exceeds its net income, indicating it has sufficient liquidity to sustain immediate operations. While this affirmation of the school's cash position provides some reassurance, it does not negate the organization's underlying financial vulnerability or the substantial operational risks that remain.

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 demonstrate 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 to meet the baseline requirements.

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. During the committee meeting, Empower stated that if it reaches the 150-student enrollment in Year 2, then the school would outgrow its incubator location for Year 3.

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 determined that none of the other facility options presented within the amendment are viable pathways for the school at this time because of the school's enrollment. Commission staff determines that there is far too much financial risk to consider a long-term facility transition for Year 2. This determination is based on the high-stakes enrollment volatility and the fact that

current enrollment number sits far below the 120-student enrollment floor for programmatic efficacy. 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 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.

Under the current charter agreement, notification to the Commission is required prior to any proposed location change, after which 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, and it would give the school the greatest opportunity to meet its enrollment goal of 150 students. Commission staff acknowledge that the closure of neighboring schools represents an unanticipated extraordinary circumstance that alters the local educational landscape. Furthermore, staff recognize that under-enrollment poses an immediate risk to the school's model, and it will be important that the Commission's deliberation includes a discussion on what, if any, strategic modifications are necessary to address these fiscal and operational challenges.

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 affirm that recent, sudden local school closures constitute an unanticipated extraordinary circumstance. Staff understand the operator's rationale in petitioning for an emergency grade band adjustment to capture displaced student demand, accommodate upper-elementary siblings, and address acute under-enrollment. However, the current approved charter agreement, which permits serving grades K-3 in SY2026-27, already provides the pathway necessary for the school to remain fiscally viable and implement its academic program with fidelity. The school has the flexibility under its current agreement to enroll to its operational baseline of 120 and its goal enrollment of 150 without any modifications to the agreement. Adding two additional grade levels at this stage introduces unnecessary operational pressure on an already vulnerable organization, potentially exacerbating the challenges observed in the previous year, with no guarantee that the amendment's enrollment targets will be met.

- 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 already has significant ground to make up with its current approved grade structure of K-3 in SY2026-27. Adding grades 4 and 5 immediately will only compound the challenges the school faces.
- Operationally, the school has struggled in its first year. Due to low enrollment, the school had to cut staffing, which directly affected compliance and the school's ability to perform basic operational functions. While the Commission has worked with many new schools that face operational challenges in Year 1, Empower's operational and compliance gaps were beyond what the staff typically sees. The school's focus going into Year 2, beyond meeting enrollment projections, is to stabilize its operations, reporting, and compliance with basic educational programs, regardless of the Commission's decision on this petition.
- 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. This fiscal volatility is deeply intertwined with facility logistics. The school's current lease possesses a highly affordable monthly rent of approximately \$2,300. 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.

Recommendation

Throughout the Commission staff's review of the record for Empower's amendment application, it became increasingly apparent that the school's academic, operational, and financial challenges are deeply intertwined. The further staff analyzed the record, the more complex these dependencies became, making it clear that the school must prioritize stabilizing its current operations by significantly increasing its enrollment simply to remain viable.

Through working with the operator since its approval in SY2023-24 and opening in SY2025-26, I fully recognize the diligence and hard work of the school's leadership team to remain afloat during a challenging initial year. The Commission wants its schools to be

successful academically, operationally, and financially, and it works closely with schools to set benchmarks for success.

While I agree that the proposed grade-span adjustment is a strategic recruitment tool, the reality is that the school still faces significant operational hurdles before adding additional grades and has yet to meet the success benchmarks that the Commission has established. The current charter agreement, which permits the school to serve students in grades K-3, already provides the necessary pathway to meet the 120-student threshold necessary for programmatic sustainability. Under the current agreement, the school can focus more intentionally on basic operational viability and instructional fidelity. Expanding to serve two additional grade levels at this juncture will only compound operational pressure on an already fragile organization.

Following my initial analysis, the School Performance and Accountability Committee engaged in a robust discussion with the operator regarding lingering concerns. This conversation focused heavily on the school's capacity to meet its projected enrollment targets, alongside critical operational challenges including compliance findings for special populations, teacher credentialing issues, and delayed grant drawdowns. While the operator described newly implemented systems designed to address these compliance failures, significant questions persist regarding the school's operational capacity and long-term sustainability. Additionally, the committee expressed serious concerns regarding facility plans, agreeing with Commission staff that any transition away from the current site at this stage introduces an unacceptable level of financial risk to the school's immediate survival. The committee moved the petition directly to the full Commission for final consideration, noting the significant concerns raised during the meeting.

Ultimately, a rigorous evaluation of the complete record reveals that the school must prioritize immediate, localized stabilization over expansion if it is to succeed academically and operationally. Therefore, my primary recommendation is that the Commission deny the amendment and require the school to remain with its currently approved K-3 model and to work to meet its 120-student enrollment floor in SY2026-27.

However, if the Commission approves the grade expansion, approval includes the expectation that the school will meet the 120-student enrollment floor and that the school will remain in its existing location. A change in location at this point would be material and assumes too great a financial and operational risk to the school's success. In accordance with the charter agreement, any future facility relocation, modification to governing board composition, or material deviation from the 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.



In totality, the Commission should understand that if the school does not meet and maintain its operational baseline of 120 students in SY2026-27, Commission staff will utilize its adopted intervention policy, Policy 3.400, to begin corrective action, which could include revocation.

A handwritten signature in cursive script, reading "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

June 2, 2026

Date