# **Charter Contract Amendment Application for 2025-2026**

Submitted to: Alabama Public Charter School Commission

Submitted by: Empower Community School

Submitted at: 04/10/2024 10:51 AM

### **Application Elements**

Elements Reviewed: 0/8

### 1. GENERAL INSTRUCTIONS

Status: Evaluation Not Needed

Form Result

Form for this application element has no data

**Evaluation Rubrics** 

This application element is not evaluated

### 2. GENERAL INFORMATION

Status: Evaluation Not Needed

Form Result

## Charter Agreement Amendment Application Checklist

The following components make up a complete amendment application and shall be submitted in Anvilar.

\* This is not required if the amendment application is submitted prior to the charter school's first year of operation.

Choice

- Balance sheet for the fiscal quarter ending thirty (30) or more days prior to submission of the application\*
- Changes to the charter school's location, or acquiring an additional facility
- ⊘ Changes to the charter school's cost center status

a) Campus address

751A Academy Drive, Bessemer, Alabama, 35022

b) First school year in operation

2022

## c) Grade levels and enrollment

	Currently	At Charter Maturity
Pre-K	0	0
Kindergarten	50	100
1st Grade	58	100
2nd Grade	39	100
3rd Grade	30	100
4th Grade	0	100
5th Grade	0	100
6th Grade	50	100
7th Grade	49	100
8th Grade	23	100
9th Grade	0	0
10th Grade	0	0
11th Grade	0	0
12th Grade	0	0
Summary	299	900

d) End of current charter 07/08/2027 (UTC) term

Empower Community School was approved to open in August of 2022. The original charter contract was approved for the school to open with two campuses serving grades K-2 and 6-7 respectively. After a June 2022 contract amendment, Empower opened with 140 students in grades K-2 and 6-7 at a single campus. Empower's 2023 20-day ADM was 297 students, which put the current facility at capacity. Empower is seeking to open its second campus, which has already been approved in the original charter amendment. This will allow the school to fully expand to serve grades K-8. Additionally, Empower Community School is seeking to enroll students in grade 5 one year earlier than expected. By enrolling these students in August 2024, Empower can ensure that all sibling pairs in grades k-8 have an opportunity to attend the same school while providing an additional year for teachers and administrators to work with students who will enroll in 5th grade in 2024.

Empower Community School has opened an application portal for students for the 2024-2025 school year. To date, a total of 421 students out of a potential 500 seats have been accounted for. This includes 20 students in grade 5. The school is also in lease-to-purchase negotiations with the Catholic Diocese of Birmingham for the second campus. The diocese has committed \$1.2M to the campus's renovation, and the school has secured \$500,000 from the Lt. Governor's Capital Grant Program to support this effort.

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5. When did the school's governing heard approve the proposed amendment?	

5. When did the school's governing board approve the proposed amendment?

04/08/2024 (UTC)

Attach minutes from the meeting and vote results.

N/A Text

File L	Jpload
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Contact Signature -

Printed Name -

Email -

Date Completed -

Board Chair Signature -

Printed Name -

Date Completed -

Email -

#### **Evaluation Rubrics**

This application element is not evaluated

### 3. SPECIFIC AMENDMENT REQUESTS

- \*Only Complete the Applicable Subpart for the Amendment the School is Seeking\* Subparts:
- A. Change in governance structure (including, but not limited to, a change in the nonprofit entity governing the school), or addition of or changes to the charter management organization
- B. The addition or removal of a grade level or levels,
- C. Changes in student enrollment which fall outside of the minimum or maximum enrollment thresholds set forth in the charter school's charter contract,
- D. The addition or removal of a plan to provide transportation to students attending the charter school
- E. Changes to the charter school's location,
- F. Change to the school's cost center status,
- G. Acquiring a Facility,
- H. Changes to the charter school's academic focus or goals set forth in the charter contract,
- I. Changes identified in the charter contract as material modifications or amendments,
- J. Other material changes not covered by any of the above categories.

### A) Change in Governance Structure

**Status: Not Reviewed** 

Form Result

## **ONLY complete this section if applying to amend governance structure**

Amendments Covered by this Subpart: A charter school should use this Subpart A to apply for an amendment to the governance structures established in its Articles of Incorporation, Bylaws, and rules and policies for governance and operation of the school. These changes range broadly and may include, but are not limited to, a change in the non-profit entity governing the school or engaging or severing a relationship with a charter management organization (CMO). Note: A charter school does <u>not</u> need to amend its charter when hiring a new school leader or board chair, unless specifically required by its charter contract.

**Application:** Please submit a narrative and related attachments addressing each of the questions below:

**1.** What is the school's current governance structure?

N/A

Attach any supporting files (optional)

2. What is the proposed governance structure?

N/A

**3.** How will the proposed governance structure improve oversight of the school and benefit students?

N/A

- **4.** If the governing body is proposing to change CMOs/EMOs or hire a CMO/EMO to oversee the day-to-day operations of the school, describe the following:
- 4.a. An explanation of how and why the CMO was selected;

N/A

**4.b.** A term sheet setting forth the proposed duration of the contract; roles and responsibilities of the school governing board, the school staff, and the CMO/EMO; scope of services and resources to be provided by the CMO/EMO; performance evaluation measures and mechanisms; detailed explanation of compensation to be paid to the CMO/EMO; financial controls and oversight; methods of contract oversight and enforcement; investment disclosure; and conditions for renewal and termination of the contract;

Attach term sheet

4.c. A draft of the proposed management contract;

Attach draft of proposed contract

**4.d.** Disclosure and explanation of any existing or potential conflicts of interest between the school governing board and proposed CMO/EMO or any affiliated business entities; and

N/A

**4.e.** Documentation of the CMO's/EMO's non-profit status and evidence that it is authorized to do business in Alabama.

Attach relevant

documents

**5.** How will the school ensure that parent participation and input is protected within the proposed governance structure?

N/A

**6.** Describe the school's plan for implementing and transitioning to the proposed governance structure, including timelines.

N/A

**7.** Attach the most recent non-profit certification for the proposed governing body.

Attach certificate

**Element Review** 

Reviews is not provided

### **B) Grade Levels**

Status: Not Reviewed

**Form Result** 

## ONLY complete this section if applying to add or remove grade level(s)\*

**Amendments Covered by this Subpart:** A charter school should use this Subpart B to apply for the addition or removal of one or more grade levels to or from the grade levels set forth in its charter contract.

**Application:** Please submit a narrative and related attachments addressing each of the questions below. If a question is inapplicable, mark it N/A.

1.	What	is	the	school's	current	grade	structure?
•	vviiat	10	UIC	30110013	Carrent	grade	Ju detaie:

- $\otimes K$

- 8th Grade

### **2.** What is the proposed grade structure?

Grade Levels

- ⊘ K

- ⊗ 8th Grade

**<sup>3.</sup>** Describe and attach documentary evidence of the community need for the proposed change in grade structure.

Empower moving into a new facility presents a unique opportunity for the Bessemer community. It provides enough classroom space for the school to enroll students in grades K-8. Additionally, a new facility ensures that siblings in grades K-8 will be able to attend the same school. This provides consistency for parents and the community. The attached chart outlines the community demand/need for the proposed change.

Attach documentary evidence

Copy of 2024-2025 Student Enrollment Count.xlsx - Sheet1.pdf

72.02 KB • Added 6 days ago

**4.** How will the addition or removal of the grade level(s) improve the school's existing program and benefit students?

The addition of grade 5 will allow the school to have a full continuum for grades K-8. This continuum will provide advancement, enrichment, and remediation opportunities for all students. Additionally, students who enroll in grade 5 in 2024 will have 4 full school years with Empower.

**5.** How will the school adapt its physical space to accommodate the addition or removal of grade level(s)?

The school plans to open a separate K-3 facility at 2410 7th Avenue North in Bessemer. This facility was a part of the original charter contract.

**6.** How will the school adapt its staffing (e.g., teachers, educational aides, special population staff, other support staff, etc.) to accommodate the addition or removal of grade level(s)?

Empower already has two dedicated principals (K-3 and 4-8). To accommodate student growth, the school will employ additional teachers, assistant teachers, and elective teachers. This includes the addition of a math coach, assistant principal (4-8), and special education teachers.

**7.** How does the school's record of achievement support the approval of this amendment? For purposes of this question, the Commission will review various metrics of success, including but not limited to the school's sreport card, and the schools' performance framework, as well as the school's financial information and duration of operations.

In year 1, the school's district report card grade was 73, and our middle school grades received 100% of the potential student growth points. Additionally, the school currently has 64 days cash on hand, and the state requirement is a 1-month minimum.

**8.** Complete the proposed enrollment summary for each grade level and each year remaining in the charter agreement in the tables below:

#### **Enrollment Table**

**Number of Students** 

	Year 1	Year 2	Year 3	Year 4	Year 5	At Capacity
Pre-K	0	0	0	0	0	0
Kindergarten	41	50	57	57	57	100
1st Grade	21	58	57	57	57	100
2nd Grade	24	39	60	57	57	100
3rd Grade	0	30	57	57	57	100
4th Grade	0	0	57	57	57	100
5th Grade	0	0	57	57	57	100
6th Grade	34	50	57	57	57	100
7th Grade	18	49	57	57	57	100
8th Grade	0	23	50	57	57	100
9th Grade						
10th Grade						
11th Grade						
12th Grade						
Summary	138	276	459	456	456	800

### **Element Review**

Reviews is not provided

### **C) Student Enrollment**

Status: Not Reviewed

#### Form Result

### ONLY complete this section if applying to amend enrollment

**Amendments Covered by this Subpart:** A charter school should use this Subpart C to apply for a change in student enrollment outside of the minimum or maximum enrollment thresholds set forth in its charter contract.

**Application:** Please submit a narrative and related attachments addressing each of the questions below. If a question is inapplicable, mark it N/A.

**1.** What is the school's current enrollment by grade level and by year of the charter contract?

	Year 2
Grade	Enrolled
0	50
1	58
2	39
3	30
6	50
7	49
8	23
	299

**2.** How will a change in enrollment improve the school's existing program and benefit students?

The addition of grade 5 will allow the school to have a full continuum for grades K-8. This continuum will provide advancement, enrichment, and remediation opportunities for all students. Additionally, students who enroll in grade 5 in 2024 will have 4 full school years with Empower.

**3.** Describe and attach documentary evidence of the demand for this enrollment change. How does the scope, pace, and need for this enrollment change align with current demographic and growth projections in the city?

Empower moving into a new facility presents a unique opportunity for the Bessemer community. It provides enough classroom space for the school to enroll students in grades K-8. Additionally, a new facility ensures that siblings in grades K-8 will be able to attend the same school. This provides consistency for parents and the community. The attached chart outlines the community demand/need for the proposed change.

	2011 Induity demand/fleed for the proposed change.										
en	empower community school										
202	4-20	24 Stud	ent Enr	ollmer	nt and Lotte	ery Resul	ts				
Gra de	l	Studen ts Returni ng	New Applic ants	ry Seat	Seats Available After Lottery	Seated Lottery Seats	23-24 Student Count	Reten tion Rate			
K	57	0	49	57	8	49	N/A	N/A			
Firs t	57	47	21	10	-11	10	47	100.0 0%			
Sec ond	In()	52	16	8	-8	8	57	91.23 %			
Thir d	5/	34	18	23	5	15	37	91.89 %			
Fou rth	57	29	20	28	8	20	30	96.67 %			
Fift h	57	0	18	57	39	18	N/A	N/A			
Sixt h	57	0	35	57	22	33	N/A	N/A			
Sev ent h	l	44	14	13	-1	13	44	100.0 0%			
Eig hth	50	43	7	7	0	6	47	91.49 %			
Tot al	509	249	198			172	262	95.04 %			

**<sup>4.</sup>** Describe the school's post-lottery enrollment/waiting list process.

After all enrollment seats have been filled, the lottery will continue to determine the order of students placed on the waitlist. Students will be offered enrollment in the order in which they are placed on the waitlist. Once the lottery process has been completed, students will be added to the wait list in the order in which they complete their intent to enroll form. Students on the wait list will receive periodic notifications outlining their current position

**5.** Discuss the school's enrollment trends over the past three (3) years, including any waitlist information.

Empower opened in August of 2022 with 140 students in Grades K-3 and 6-7. In the Fall of 2023, Empower enrolled 299 students with a waitlist of 114 students. To date, Empower has 421 students prepared to enroll for the 2024-2025 school year with 20 students on the waitlist.

**6.** How will the school adapt its physical space to accommodate a change in enrollment?

The school plans to open a separate K-3 facility at 2410 7th Avenue North in Bessemer. This facility was a part of the original charter contract.

**7.** How will the school adapt its staffing (e.g., teachers, educational aides, special population staff, other support staff, etc.) to accommodate the change in enrollment?

Empower already has two dedicated principals (K-3 and 4-8). To accommodate student growth, the school will employ additional teachers, assistant teachers, and elective teachers. This includes the addition of a math coach, assistant principal (4-8), and special education teachers.

**8.** Describe ways that the school ensures recruitment, enrollment, and retention of students with disabilities and English language learners, along with the school's target population.

Empower uses an open enrollment process with no barriers to enrollment. All enrollment information is distributed in multiple languages, and Empower employes a full-time, bilingual registrar to support the enrollment of students who are English Language Learners. Additionally, Empower offers a full special education program, including services for students who are on the Autism spectrum. This includes sensory rooms and spaces on every campus and a dedicated registered behavior technician under the supervision of a board-certified behavior analyst.

**9.** How does the school's record of achievement support the approval of this amendment? For purposes of this question, the Commission will review various metrics of success, including but not limited to the school's report card, the school's performance framework, as well as the school's financial information and duration of operations.

In year 1, the school's district report card grade was 73, and our middle school grades received 100% of the potential student growth points. Additionally, the school currently has 64 days cash on hand, and the state requirement is a 1-month minimum.

**10.** Complete the proposed enrollment summary for each grade level and each year remaining in the charter contract in the tables below:

	Year 1	Year 2	Year 3	Year 4	Year 5	At Capacity
Kindergarten	0	0	0	0	0	0
1st Grade	41	50	57	57	57	100
2nd Grade	24	39	60	57	57	100
3rd Grade	0	30	57	57	57	100
4th Grade	0	0	57	57	57	100
5th Grade	0	0	57	57	57	100
6th Grade	34	50	57	57	57	100
7th Grade	18	49	57	57	57	100
8th Grade	0	23	50	57	57	100
9th Grade						
10th Grade						
11th Grade						
12 Grade						
Summary	117	241	452	456	456	800

Anticipated Demographics

% of Economically Disadvantaged Students	% of Students with Disabilities	% of English Language Learners
84	8	8

Attach any supporting documents (optional)

### Report Card - Alabama Department of Education.pdf

769.55 KB • Added 6 days ago

#### **Element Review**

Reviews is not provided

### **D) Transportation**

Status: Not Reviewed

Form Result

## ONLY complete this section if applying to amend or adopt the transportation plan

**Amendments Covered by this Subpart:** A charter school should use this Subpart D to apply for the addition or removal of a plan to provide transportation to students attending the charter school.

**Application:** Please submit a narrative and related attachments addressing each of the questions below. If a question is inapplicable, mark it N/A.

**1.** What is the school's current transportation plan?

N/A

2. What is the proposed transportation plan?

N/A

**3.** How will the proposed change to transportation improve school operations and benefit students?

N/A

- **4.** If you are petitioning to add a transportation plan:
- **4.a.** Describe the plan for oversight of transportation operations (e.g., whether the school will provide its own transportation, contract out for transportation, request that a district provide transportation, or a combination thereof) and what school staff position will provide this daily oversight;

N/A

**4.b.** Describe how the school will transport students with special transportation needs and how that will impact the school's budget

N/A

**4.c.** Describe how the school will ensure compliance with state and federal laws and regulations related to transportation services;

N/A

**4.d.** Explain how the school will ensure compliance. If the school is petitioning to remove a trasportation plan, explain how the school will ensure students can get to school, including students that require transportation services under IDEA.

N/A

Attach any supporting documents (optional)

**Element Review** 

Reviews is not provided

### E) Location

Status: Not Reviewed

Form Result

ONLY complete this section if applying to amend the school's location, acquiring a facility or changing the cost center status\*

**Amendments Covered by this Subpart:** A charter school should use this Subpart E to apply for a change in its location, acquiring a facility, or changing its cost center status.

**Application**: Please submit a narrative and related attachments addressing each of the questions below.

1. What is the current address of the school?

751A Academy Drive, Bessemer, Alabama, 35022

2. What is the proposed new address of the school or of the porposed additional facility?

2410 7th Avenue North, Bessemer, Alabama, 35020

- **3.** Please elaborate on the need of the community in the new location, (It must be within the geographic area that was originally approved.) or the need for the additional facility and/or cost center, which may include:
- **3.a.** Academic the other public schools in the area are underperforming and would benefit from your proposed charter school option.

Three of the four elementary schools in Bessemer City scored a D or F on the last ALSDE report card (Greenwood - 59; Charles F. Hard - 65; Jonesboro - 61). Comparatively, Empower scored a 73 in its first year of operation. Additionally, Empower received 100% of the possible points for growth on the last ALSDE report card, and the next highest of these 3 schools received 83%.

**3.b.** Over-Enrollment/Waiting Lists – the other public schools in the area are over-enrolled, overcrowded or have lengthy waiting lists and would benefit from your proposed charter school option.

Enter content here N/A

**3.c.** Programmatic – the other public schools in the area do not offer the program(s) your charter school would offer (e.g., language immersion; Montessori; agribusiness, etc.).

Enter content here

Empower offers a comprehensive social and emotional learning program for all students. This includes employing a full-time mental health coordinator and school social worker. Additionally, Empower puts a particular focus on ensuring students from special populations receive adequate services, including occupational, physical, and behavioral therapy.

**4.** Describe the school's plan for transitioning to the new location.

Enter description here

The school will communicate the transition to parents as soon as the request is approved. Plans are already in place to procure furniture and technology. The school will use the month of July to move teacher belongings to the new campus. Additionally, transportation will be provided between both campuses. This will allow parents to drop students off at the campus that is most convenient for them.

**5.** What is the maximum occupancy at the new location?

250

**6**. Identify the square footage of the new space and any reconfiguration of classes necessitated by the new space.

The facility is 15,000 square feet and contains 10 classrooms. There is no need to reconfigure any of the current classrooms.

**7.** Is the proposed new facility a property that the school plans to purchase or lease? Quantify the difference between mortgage or lease payments for the current location and mortgage or lease payments for the new location, as well as the school's financial capacity to handle this change. If an additional cost center is needed, please explain why and whether the enrollment threshold has been met.

The new facility will be a lease-to-purchase agreement with the Catholic Diocese of Birmingham. The current facility is leased for \$120,000/year, and the new facility will be leased for \$136,000/year. An additional cost center will be needed because of the unique grade bans of the schools. K-3 and 4-8 schools have different needs, and an additional cost center will help the school meet those needs. The K-3 campus will is projected to have 231 students, which is just under the 250 needed for an additional cost center. However, the 4-8 campus is projected to have 278 students, but it can house up to 300. This will bring the total enrollment to over 500 students, which justifies 2 cost centers.

**8.** Describe how the school has engaged its community in the decision to relocate. Describe communications with staff and families and any potential concerns raised by them.

The relocation was a portion of the original charter contract. The school is simply making due on its original promise to open a facility on the Northside of Bessemer.

**9.** How will the proposed location modification impact the current student population and the anticipated student demographics as described in the school's current charter contract? How will the school ensure that students re-enroll?

The proposed location modification should have a limited impact on the current student population. Parents will have the opportunity to drop their students off at the campus that is closest to them. Additionally, our current retention rate is at 95%. This is evidence that parents and students are dedicated to Empower's mission and vison.

To ensure students re-enroll, the school will communicate the timeline, logistics, and details of the move. Additionally, the school will provide tours of our completely renovated new campus. We believe the amenities, combined with a dedicated space for early learning will motivate parents to keep their students enrolled at Empower.

**10.** What contingencies does the school have in place in case the new location enrolls fewer students than anticipated?

Currently, the school has 218 of the 231 available seats filled. There are 8 seats available in kindergarten and 5 seats available in 3rd grade. Additionally, we have 11 students on the waitlist in 1st grade and 8 students on the waitlist in 2nd grade. If one of the other grades does not reach capacity, we will enroll students from the waitlist in other grades.

11. How will the school support families that need transportation to the new location?

Empower currently runs two buses. In 2024-2025, the school will add an additional bus route. This includes routes that transport students between the two campuses both before and after school.

**12.** Describe all community outreach that has been done in the local community of the new school location.

The new school is part of the original charter contract. We have worked with the Bessemer Redevelopment Corporation, St. Francis of Assisi Catholic Church, and the Catholic Diocese of Birmingham to facilitate the additional campus. Additionally, school leadership has been in constant communication with our local elected officials.

Attach any supporting documents (optional)

24-03-20 Lease - rev\_ (2).doc

37.35 KB • Added 6 days ago

2024-0325\_EmpowerStFrancis\_FinalCDs-TENANT (1).pdf

8.96 MB • Added 6 days ago

2024-0325\_EmpowerStFrancis\_FinalCDs-LANDLORD.pdf

48.07 MB • Added 6 days ago

#### **Element Review**

Reviews is not provided

### F) Academic Focus

Status: Not Reviewed

Form Result

## ONLY complete this section if applying to amend the school's academic focus or goals

Amendments Covered by this Subpart: A charter school should use this Subpart F to apply for an amendment to the academic focus or goals set forth in its charter agreement. "Academic focus" means a distinctive, thematic program such as math, science, arts, general academics, or an instructional program such as Montessori or Paideia. Some examples include adding or removing a specific curriculum outlined in the charter agreement that would alter the school's academic focus (e.g., CORE Knowledge, STEM) or specific outcomes (e.g., International Baccalaureate Diploma). An amendment is not required for curriculum changes that do not alter the school's academic focus.

**Application:** Please submit a narrative and related attachments addressing each of the questions below. If a question is inapplicable, mark it N/A.

1. What are the school's current academic focus and goals?

N/A

2.	What is	the i	proposed	change	to the	academic	focus o	r goals?

N/A

**3.** How will the change in academic focus or goals improve the school's existing program and benefit students?

N/A

**4.** Describe how the school arrived at the decision to change its academic focus or goals, as well as the involvement of parents, staff, and other stakeholders.

N/A

**5.** Describe specific measurable academic goals for the modified academic focus, or describe how the modified goals will support the school's academic focus.

N/A

Attach any supporting documents (optional)

Text N/A

File Upload

#### **Element Review**

Reviews is not provided

### G) Material Modifications

**Status: Not Reviewed** 

Form Result

ONLY complete this section if applying for a material modification identified in your charter contract.

**Amendments Covered by this Subpart:** A charter school should use this Subpart G to apply for a change to a provision of its charter agreement that is identified in the charter agreement as a

material modification or amendment.

**Application:** Please submit a narrative and related attachments addressing each of the questions below.

**1.** What provision of the current charter agreement is the school seeking to modify? Specify the applicable section and text.

N/A

2. What material modification or amendment to this provision is the school proposing?

N/A

**3.** Specify the section of the charter agreement that identifies the proposed change as "material," if different from the section identified in Question 1.

N/A

**4.** Describe how the school arrived at the decision to make this modification.

N/A

**5.** How will this change improve the school's existing program and benefit students?

N/A

**6.** Provide qualitative and quantitative data to support the requested modification.

N/A

Attach any supporting documents (optional)

**Element Review** 

Reviews is not provided

### H) Other Material Change

Status: Not Reviewed

#### Form Result

## ONLY complete this section if applying for a material change not covered by any other Subpart

**Amendments Covered by this Subpart:** A charter school should use this Subpart H to apply for a material change to its charter agreement that is not covered by any other Subpart.

**Application:** Please submit a narrative and related attachments addressing each of the questions below.

**1.** What provision of the charter agreement is the school seeking to modify? Specify the applicable section and text.

N/A

2. What is the proposed change to this provision?

N/A

**3.** Explain the material nature of the proposed change.

N/A

**4.** Describe how the school arrived at the decision to make this modification.

N/A

**5.** How will this change improve the school's existing program and benefit students?

N/A

6. Provide qualitative and quantitative data to support the requested modification.

N/A

Attach any supporting documents (optional)

### **Element Review**

Reviews is not provided