



# Denver Public Schools EL-4 Communication and Counsel to the Board Monitoring Report

September 2023

Board policy is indicated in **bold** typeface throughout.

I hereby present my monitoring report on your Executive Limitation policy E-5, "EL-4 Communication and Counsel to the Board" according to the schedule set out. I certify that the information contained in this report is true, and represents compliance with all aspects of the policy unless specifically stated otherwise.

Signed *Alex Manner*, Superintendent

Date 9/29/2023

## Policy Statement:

**With respect to providing information and counsel to the Board, the Superintendent will give the Board as much information as necessary to allow Board members to be adequately informed.**

**Accordingly, the Superintendent will not fail to:**

### General

- 1. Advise the Board in a timely manner of relevant trends, facts and information, including:**
  - 1. The rationale behind any Superintendent decision;**
  - 2. Information regarding any serious student discipline or safety matter or crisis situation;**
  - 3. Information regarding the cancellation of school or any important event, including the scheduling of remote days as a result of heat mitigation or maintenance;**
  - 4. Best practices and trends in K-12 education;**
  - 5. Information regarding any matter that may expose the district to significant legal liability; and**
  - 6. The Superintendent's out-of-town travel.**
- 2. Present information in language that is easy to understand;**
- 3. Advise the Board of changes in assumptions upon which Board policy has been established; and**
- 4. Provide the Board with internal and external points of view and opinions in order to inform Board decisions.**

### Financial Condition

**The superintendent will make recommendations for Board approval of any single non-budgeted purchase or expenditure of greater than \$1,000,000 and any other changes substantially affecting the district's financial condition, the district's ability to achieve its mission, or which is in violation of the Board's policies.**

### Media coverage

- 1. Advise the Board of anticipated or potential adverse media coverage or significant negative citizen or employee reaction to actual, proposed or anticipated decisions, circumstances, Administration policies, procedures or practices; and**
- 2. Advise the Board of anticipated positive media coverage when knowledge of the coverage occurs within sufficient time to include in the Superintendent's regular communications with the Board.**

3. **Guard against the knowing or reckless endangerment of the district's public image or credibility, which thereby jeopardizing the district's ability to accomplish its mission; and**

### **Monitoring**

1. **Submit monitoring data required by the Board in a timely, accurate and understandable fashion, directly addressing provisions of the Board policies being monitored;**

*[Note: the Board should consider whether it believes this is an appropriate duty to place on the Superintendent]. With the understanding that it is primarily the Board's responsibility to monitor its own compliance, advise the Board if, in the Superintendent's opinion, the Board is not in compliance with its own policies on Governance Process and Board-Superintendent Relationship]; and*

2. **Report in a timely manner any actual or anticipated noncompliance with any Board Ends or Executive Limitations policy or policies.**

### **Board communications**

1. **Provide a mechanism for official Board, officer, or committee communications; and**
2. **Work with the Board as a whole on Board policy issues, with the exception that the Superintendent can:**
  1. **Fulfill individual requests for information that do not require a material amount of staff time or resources and are not disruptive;**
  2. **Work with officers or committees duly charged by the Board; or**
  3. **Communicate with the Board President and Vice President.**

### **Consent agenda**

**Supply all items delegated to the Superintendent that are required by law or contract to be Board-approved for the consent agenda, along with the minimum amount of supporting data necessary to keep the Board informed and a rationale for the superintendent's decision.**

### **State reporting**

**Provide a summary to the Board of any significant data submitted to the State Board of Education regarding accreditation, accountability, or safety.**

### **Personnel decisions**

**As permitted by law, and upon request, provide, as soon as possible after decisions are made, information to the Board regarding the nature of and the reason for the personnel decision and information regarding how the decision impacts the district's ability to operate and to achieve the Board's Ends.**

Adopted: [Insert policy adoption date]

LEGAL REFS.: C.R.S. 22-11-101 et seq. (state accreditation)  
C.R.S. 24-6-201 et seq. (Colorado Sunshine Act - public official disclosure law)

Monitoring Method: Internal Report

Monitoring Data:

Monitoring Frequency: Annually in January

[Revised     ]

### **Definitions:**

- **Language Justice-** Language Justice is defined as a commitment to ensuring all voices are heard and understood in the process of community engagement. It is more than having access to translators and

interpreters, it is a practice to create inclusive and equitable spaces within Denver Public Schools so that community, families, students, and staff can participate in the language of their heart.

- **Consent Agenda-** The consent agenda is a tool used to streamline meeting procedures by collecting routine, non-controversial items into a group whereby all are passed with a single motion and vote. This method has grown in popularity in recent years and there are many variations on the theme to meet specific needs.

## EL.4 Reasonable Interpretation

This Executive Limitation has been proven to be one of the most important for Denver Public Schools. Communication with the Board about any of the assumptions written in their policies allows me to minimize any misunderstandings around expectations. I understand that although the Board has empowered me to be the operational leader of this great organization, effective communication with the board is essential for effective leadership and governance. As such, my presence as a leader is crucial to the success of my leadership team, and therefore I commit to keeping the Board informed in a timely manner of any information regarding my absence or rationale for any decisions which may be pertinent to the Board. In addition, any information that may expose the district to legal liability will be shared with the Board of Education. I commit to providing the Board with internal and external points of view and opinions in order to inform Board decisions.

It is unfortunate that there is a national trend that continues to see an increase in school shootings. However, in emergency crisis situations that can be fluid in nature, I commit to sharing such information as soon as possible without compromising the safety of our students, staff and community members. I will also share with the Board, any crises involving students or staff with disclosures allowable by law as soon as reasonable.

As we learned from the results of the pandemic, in-school learning is by far the most effective form of increasing student engagement and ultimately achievement. I commit to working diligently to minimize any interruptions of valuable learning experiences for students. Toward that end, I will inform Board members of any school cancellations, and of any remote days as a result of heat mitigation or maintenance interruption.

When it comes to national trends in K-12 education, I commit to sharing national trends which are under consideration for adoption by my team. Denver Public Schools is already participating in a number of organizations that provide insights into national trends. For example, DPS is a member of the [Council of Great City Schools](#), an organization committed to supporting 77 Urban school districts across this great nation. Their website states the following:

“The Council of the Great City Schools (CGCS) brings together [77 of nation's largest urban public school systems](#) in a coalition dedicated to the improvement of education for children in the inner cities. The Council and its member school districts work to help our schoolchildren meet the highest standards and become successful and productive members of society.”

We will continue to learn from our colleagues in other urban districts and share our learnings with them as well.

When it comes to working with the DPS community, I understand that we serve a very diverse community, one that is diverse, culturally, linguistically and racially. In fact, our latest figures indicate that DPS is serving over 90,000 students from families where over 200 languages are spoken. The 11 most widely spoken languages in 2022 are: English, Spanish, Aramic, Amharic, Vietnamese, Somali, French, Nepali, Tigrigna, Russian and Mandarin Chinese. Our student population also consists of 39.1% are multilingual learners. As a result, our communication plan to our students, families and staff need to reflect the rich diversity of languages and be simple enough for all to understand. I commit to language justice in all of its forms in communicating with our constituents.

## Financial Condition

With regard to the financial condition of the district, I will seek Board approval of any non-budgeted purchase or expenditure greater than \$1M and any other changes which will substantially affect the district's financial condition, district's ability to achieve its mission, or which is in violation of Board policies.

### **Media Coverage**

I understand the important role that Media Coverage plays in the operation of our school district. In alignment with this policy, I will advise the Board of any potential adverse media coverage or significant negative citizen or employee reaction to actual, proposed or anticipated decisions, Administration policies, procedures or practices. I will also advise the Board of any positive media coverage when knowledge occurs within sufficient time to include in the Superintendent's regular communications with the Board. I will also guard against the knowing or reckless endangerment of the district's public image or credibility affecting my ability to accomplish DPS's mission and strategic plan.

### **Monitoring**

As a continuous form of communication of my progress toward achieving the Board's Ends and Executive Limitations, I will submit monitoring data required by the Board in a timely, accurate and understandable fashion. If there is anticipated noncompliance with any Ends or Executive Limitations policies, these sessions will allow us to discuss these concerns publicly and in detail.

### **Board Communications**

I will provide a mechanism for official Board, officer, or committee communications through the "Board Weekly" communication. I also commit to working closely with the Board on any policy issues with the exception that I can fulfill individual requests for information barring resource limitations, work with officers or committees duly charged by the Board or communicate with the Board President and Vice President.

### **Consent Agenda**

I commit to supplying all items delegated to the Superintendent that are required by law or contract to be Board-approved for the consent agenda, along with the minimum amount of supporting data necessary to keep the Board informed and a rationale for my decisions.

### **State reporting**

I will provide a summary to the Board of any significant data submitted to the State Board of Education regarding accreditation, accountability, or safety.

### **Personnel decisions**

As permitted by law, and upon request, I will provide, as soon as possible after decisions are made, information to the Board regarding the nature of and the reason for the personnel decision and information regarding how the decision impacts the district's ability to operate and to achieve the Board's Ends.

## **Standard - RI Must-haves**

- The standard of measurement for one or more parts of the policy
- The level of achievement on the standard for one or more parts of the policy
- The rationale for the standard of measurement for one or more parts of the policy
- The rationale for the level of achievement on the standard for one or more parts of the policy

## **Outcome**

Compliance with this Executive Limitation will be achieved for 22/23 when:

### **General:**

1. **80% of the number of events** requiring communication satisfy the requirements of timely communication to include:

- a. A clear rationale for superintendent decision;
  - b. Serious student discipline, safety or crisis matter;
  - c. Any school cancellation events including remote days due to heat mitigation or maintenance.
  - d. Best practices and trends in K-12 education;
  - e. Any matter exposing the district to significant legal liability
  - f. Any out of town travel by the superintendent.
2. **All** communication from the district complies with the Modified Consent Decree and reflects our value for Language Justice.
  3. **Any** changes in assumptions upon which Board policy has been established is communicated to the Board.
  4. **All** Board decisions requiring voting will include internal and external points of view and opinions..

#### **Financial Condition:**

1. **All** non-budgeted purchases or expenditures of more than \$1M will require Board approval
2. **All** other changes substantially affecting the district's financial condition, or that prevents the district from achieving its mission or in violation of Board policy

#### **Media Coverage:**

1. **80%** of the events that are potentially include adverse media coverage or significant negative citizen or employee reaction to actual, proposed or anticipated decisions, circumstances, administration policies, procedures or practices are communicated to the Board; and
2. **100%** of any actual or anticipated noncompliance with any Board Ends or Executive Limitations policy or policies is communicated to the Board.
3. I guard against the knowing or reckless endangerment of the district's public image or credibility, even in cases when it is caused by the actions of the Board.

#### **Board Communications**

1. I develop and use a mechanism for official Board, officer or committee communications.
2. I work with the Board as a whole 100% of the time with the exception of responding to requests that:
  - a. do not require a substantial amount of staff time or resources and are not disruptive;
  - b. are a result of delegation to officers or committees duly charged by the Board; or
  - c. Involve the Board President and Vice President

#### **Consent Agenda**

I will supply **all** items delegated to the Superintendent that are required by law or contract to be Board-approved for the consent agenda along with the minimum amount of supporting data necessary to keep the Board informed and a rationale for my decisions.

#### **State reporting**

I will provide a summary to the Board of **any** significant data submitted to the State Board of Education regarding accreditation, accountability, or safety.

#### **Personnel decisions**

As permitted by law, and upon request, I will provide, as soon as possible after decisions are made, all information to the Board regarding the nature of and the reason for the personnel decision and information regarding how the decision impacts the district's ability to operate and to achieve the Board's Ends.

Compliance with this End Statement for the 22/23 SY requires the measures below, including:

Measure	Family of Schools/District Run	Report Timing	Justification
<p><b>General:</b></p> <ol style="list-style-type: none"> <li>1. 80% of the number of events requiring communication satisfy the requirements of timely communication to include:               <ol style="list-style-type: none"> <li>a. A clear rationale for superintendent decision;</li> <li>b. Serious student discipline, safety or crisis matter;</li> <li>c. Any school cancellation events including remote days due to heat mitigation or maintenance.</li> <li>d. Best practices and trends in K-12 education;</li> <li>e. Any matter exposing the district to significant legal liability</li> <li>f. Any out of town travel by the superintendent.</li> </ol> </li> <li>2. All communication from the district complies with the Modified Consent Decree and reflects our value for Language Justice.</li> <li>3. All Board decisions requiring voting will include internal and external points of view and opinions.</li> </ol>		Sept	Demonstration of compliance with Executive Limitation
<p><b>Financial Condition:</b></p> <ol style="list-style-type: none"> <li>1. All non-budgeted purchases or expenditures of more than \$1M will require Board approval</li> <li>2. All other changes substantially affecting the district's financial condition, or that prevents the district from achieving its mission or in violation of Board policy</li> </ol>		Sept	Demonstration of compliance with Executive Limitation
<p><b>Media Coverage:</b></p> <ol style="list-style-type: none"> <li>1. 80% of the events that potentially include adverse media coverage or significant negative citizen or employee reaction to actual, proposed or anticipated decisions, circumstances, administration policies, procedures or practices are communicated to the Board; and</li> <li>2. 100% of any actual or anticipated noncompliance with any Board Ends or Executive Limitations policy or policies is communicated to the Board.</li> <li>3. Guard against the knowing or reckless endangerment of the district's public image or credibility, even in cases when it is caused by the actions of the Board.</li> </ol>		June	Demonstration of compliance with Executive Limitation
<p><b>Board Communications</b></p> <ol style="list-style-type: none"> <li>1. I develop and use a mechanism for official Board, officer or committee communications.</li> <li>2. I work with the Board as a whole 100% of the time with the exception of responding to requests that:               <ol style="list-style-type: none"> <li>a. do not require a substantial amount of staff time or resources and are not disruptive;</li> <li>b. are a result of delegation to officers or committees duly charged by the Board; or</li> <li>c. Involve the Board President and Vice President</li> </ol> </li> </ol>		June	Demonstration of compliance with Executive Limitation

<b>Consent Agenda</b> I will supply items delegated to the Superintendent that are required by law or contract to be Board-approved for the consent agenda along with the minimum amount of supporting data necessary to keep the Board informed and a rationale for my decisions.		June	Demonstration of compliance with Executive Limitation
<b>State reporting</b> I will provide a summary to the Board of significant data submitted to the State Board of Education regarding accreditation, accountability, or safety.		June	Demonstration of compliance with Executive Limitation
<b>Personnel decisions</b> As permitted by law, and upon request, I will provide, as soon as possible after decisions are made, all information to the Board regarding the nature of and the reason for the personnel decision and information regarding how the decision impacts the district's ability to operate and to achieve the Board's Ends.		June	Demonstration of compliance with Executive Limitation

### Aggregation Methodology

I will be successful if I meet 75% of the weighted targets above.

### Evidence of Outcomes Achieved

**Goal:** Demonstrate Compliance with this Executive Limitation

### September Measures

Measure	Family of Schools/District Run	Compliant? YES/NO
<b>General:</b> <ol style="list-style-type: none"> <li>1. 80% of the number of events requiring communication satisfy the requirements of timely communication to include:               <ol style="list-style-type: none"> <li>a. A clear rationale for superintendent decision;</li> <li>b. Serious student discipline, safety or crisis matter;</li> <li>c. Any school cancellation events including remote days due to heat mitigation or maintenance.</li> <li>d. Best practices and trends in K-12 education;</li> <li>e. Any matter exposing the district to significant legal liability</li> <li>f. Any out of town travel by the superintendent.</li> </ol> </li> <li>2. All communication from the district complies with the Modified Consent Decree and reflects our value for Language Justice.</li> <li>3. All Board decisions requiring voting will include internal and external points of view and opinions.</li> </ol>	Family of Schools	<b>YES</b>
<b>Financial Condition:</b> <ol style="list-style-type: none"> <li>1. All non-budgeted purchases or expenditures of more than \$1M will require Board approval</li> </ol>	District Run Schools	<b>YES</b>



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|--|--|--|
| 2. <u>All</u> other changes substantially affecting the district's financial condition, or that prevents the district from achieving its mission or in violation of Board policy |  |  |
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## Summary

**The district is compliant with all aspects of EL-4 within this monitoring report.**

### General:

1.
  - a. The Superintendent and team include rationale for decision making or recommendations in public board meetings, as appropriate. Additionally, the Superintendent and Deputy Chief of Staff Office meet and communicate regularly with the Board of Education (through email, conference calls, and scheduled meetings) in order to provide additional line of sight and rationale into Superintendent decision making.
  - b. The district communicates discipline matters through email communication, including the expulsion report, and phone conversations with Board members.
  - c. The District provided a written update on [Heat Mitigation](#) to the Board of Education for the 23-24 school year on August 21, 2023. This written update included information on the process and procedures for heat mitigation and early release. Here also is the [23-24 written guidance for school leaders](#) on the process and procedures for Heat Mitigation for 23-24
  - d. Through Superintendent Updates and other public presentations at Board meetings, the Superintendent and team inform the Board of Education of shifts in educational best practice that have influenced how we work in DPS. For example, during the development of the Long-term Safety Plan, the superintendent team worked with Dr. Kenneth Trump, national school safety expert, to inform the development of the plan. The district has also worked with other local experts to complete building safety audits to ensure that best practices are being applied. Additionally, the Superintendent and team have kept the Board apprised of developments in academic research such as the science of reading. The Superintendent and team also leverage best practice and research to inform their decision making and engage in ongoing learning and development with national and local educational leaders to bring ideas and resources back to DPS.
  - e. The Board has been timely informed of all legal risks presented to the District. These communications were made via the following channels: BOE Weekly; in-person conversations, telephonic conversations, and email communications directly with Board members.
  - f. Planned out of town travel is communication to the Board of Education through in BOE Weekly email and through communication from the Deputy Chief of Staff.
2. In accordance with the Consent Decree DPS provides translation of all vital documents. Key projects in this past year included: All Drafts of the Long Term Safety Plan, the Upcoming Annual Report, Administrative and Board Policy Changes. In addition DPS provides extensive translations and interpretation services to students. In the first week of September 2023 the Interpretations Team processed 148 interpreters. The busiest days were 9/6 with 45 interpreters and 9/7 with 70 interpreters assigned at different schools. That same week the Translations Team processed more than 60 translation related projects.
3. Prior to each voting meeting, the Board of Education holds public comment sessions to allow the public to voice their opinions and thoughts to the Board. Additionally, the Board of Education welcomes email communication from constituents and the public regarding any topic of interest. The district office also fields digital and phone communication from the public and passes that information as relevant on to the Board of Education to appraise them of the public's views and inform the Board's opinions.

### Financial Conditions:

1. All purchases over \$1M were approved by the Board of Education in alignment with policy [DJA](#).



2. All other changes are communicated to the Board of Education through the Finance and Audit Committee, as well as in Board Work Sessions and Regular Meetings.

### **Additional Resources**

None

### **Explanatory notes for preparing a monitoring report**

#### **Non-compliance:**

N/A