

# Denver Public Schools

## E-1 Equity Monitoring Report

May 2022

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

I hereby present my monitoring report on your Ends policy E-1, "Equity" 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 , Superintendent Date 5/31/2022

**DPS will be a district that is free of oppressive systems and structures rooted in racism and one which centers students and team members with a focus on racial and educational equity, enabling students to ultimately become conscientious global citizens and collaborative leaders.**

**Racial and Educational Equity is our collective responsibility. We will achieve equity when we dismantle deeply rooted systems of oppression that have historically resulted in inequitable access and distribution of opportunities and resources for those who represent marginalized identities, including race, ethnicity, gender identity, sexual orientation, language and ability.**

### Definitions

1. **Racial Equity** - Racial equity is the elimination of racial disparity in our society, and the achievement of comparable outcomes for all, particularly those who have historically and contemporarily been marginalized. Racial equity will be realized when no person is more likely to experience the benefits or burdens of society based on race.
2. **Linguistic Equity** - Linguistic equity is quality training for teachers and implementing research-based best practices that focus on Multilingual learners. These intentional instructional practices enhance, support and accelerate the learning process, whether in English or in a student's native language. The practices help students access the content to be learned in meaningful ways so that students who are not English proficient can learn alongside their classmates. Whether a child is in an English medium or bilingual/dual language program, the child's native language and culture plays an essential role in educational equity.
3. **Educational Equity** - Educational equity is re-envisioning and re-designing the systems and structures in which we operate to be more fair and just- this is done by removing the predictability of success or failure, and by ensuring each student has what they need to achieve.
4. **Systems** - refers to the processes and practices associated with the day-to-day operations of the district. It refers to all practices and processes within the organization and the interplay between processes and practices.
5. **Practices** - refers to those processes which are not included in policy but have precedents in how the process was executed in the past within the organization.
6. **Dismantle** - to halt a process or practice and to identify and record its impact on the organization so that it can never be repeated by agents of the organization
7. **Access and Opportunities** - refers to one of the key factors affecting marginalized students. Marginalized students need access to high-level curriculum, instruction, assessment and other educational resources in order to have opportunities to achieve academic success.
8. **Oppression** - intentional, unjust or cruel exercise of authority or power with the purpose of limiting access and opportunities for the oppressed.

9. **Discriminatory** - making or showing an unfair or prejudicial distinction between different categories of people or things, especially on the grounds of race, ethnicity, gender identity, sexual orientation, language and ability..
10. **Inequitable** - students across our system have differing needs. Equally distributing resources to all students does not address many of the gaps which have resulted from centuries of systemic racism. Inequitable practices tend to presume a level playing field as a justification for distributing resources in an equal manner. Equitable practices provide greater resources to those students and families so that they can
11. **Intolerance** - unwillingness to consider, not necessarily accept views, beliefs, or behavior that differ from one's own.
12. **Persistent** -continuing to exist or endure over a prolonged period.
13. **Enduring** - continuing or long-lasting
14. **Deeply rooted systems of oppression** - refers to structural oppression including the laws, policies and practices designed to oppress another group on the basis of race, ethnicity, gender identity, sexual orientation, language and ability.
15. **Discriminatory practices** - practices anchored in discrimination
16. **Discriminatory policies** - policies anchored in discrimination
17. **Inequitable distribution of resources** - resources that are distributed equally rather than to address those marginalized groups most in need of the resources.
18. **Inequitable distribution of opportunities** - opportunities which are afforded in an equal manner rather than based on need
19. **Free of oppressive systems and structures rooted in racism** - the goal would be to eliminate such systems and structures rooted in racism
20. **CHE**- Congress of Hispanic Educators
21. **ELA-S** - English Language Acquisition through Spanish. A developmental bilingual program that instructs students in Spanish and transitions them to English as they become proficient.
22. **ELA-S Teacher** - (1) one who is State- endorsed in teaching the culturally and linguistically diverse, or has completed the approved District ELA-S training as described in chapter 5; and (2) demonstrates proficiency in speaking, reading, writing and listening Spanish on a valid and reliable assessment of Spanish Language Proficiency
23. **Inclusive Practices**- implementing practices where all students, regardless of cognitive or academic level, have opportunities to be included in the general education classroom, participating in standards-based curriculum.
24. **Racial or Oppressive Language** - Language that stirs emotion with strong ties in oppressive systems and has been used to marginalize under-represented groups in the past. (Eg. "in the field")
25. **Section 504** is a federal civil rights law that mandates school districts evaluate any student with a suspected impairment who as a result may need special education or services.

## Superintendent's Reasonable Interpretation

DPS has made Equity its cornerstone. Because of DPS's rich history of civil rights and student activism including, the West High School Student Walkouts in 1969, and Colorado's history of embracing one of the most iconic hate groups, choosing Equity as a cornerstone seemed inevitable. Listening to the voices of our constituents is critical in understanding the complex issues and challenges anchored in discrimination. The Congress of Hispanic Educators has worked with district officials on the creation of a Modified Consent Decree which requires compliance and commitment in addressing discriminatory practices to students who are Multilingual Learners.

Over the past 24 months, we've experienced the complexities associated with a pandemic and witnessed the effects of intolerance for others from a different race, religion, gender and sexual orientation, positional authority and political affiliation. We also witnessed an increase in anti-immigrant rhetoric and intolerance for people from various cultural and linguistic backgrounds. In the words of Mahatma Gandhi, "Intolerance is

itself a form of violence and an obstacle to the growth of a true democratic spirit." Given the great history of DPS and given my responsibility as the leader of this great organization, I commit to:

1. Discover, dismantle and revise persistent and enduring systems of oppression within our school system;
2. Partner with the City of Denver to dismantle and revise persistent and enduring systems of oppression outside of our school system that impact our student's ability to engage in their educational opportunities equitably;
3. Discover, support, and connect assets within our communities with our students and their families, celebrating how diversity of thought, culture, and traits can lead to success in college, career, and life;
4. Educate our staff about oppression and inclusive practices in education;
5. Develop the agency of our students to empower themselves to learn and to effectively be part of the changes that are implemented, debate and act for the greater good of our global, multilingual society; (this is about embracing the differences in other cultures and accepting their own culture)
6. Empower our teachers and special service providers to connect with the communities they serve to better understand and embrace their differences.
7. Fully implement all of the Consent Decree requirements and continue to center the needs of MLLs in all DPS initiatives.

## 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

## Outcomes

Given the limited amount of time for the Superintendent to establish and implement a Strategic Plan, some of the targets and baselines will be evident in the 21/22 school year but some measures of compliance will not be evident until the 22/23 SY.

Compliance with this End Statement will be achieved for 21/22 SY when:

1. At least two systems have been identified for dismantling including the restructuring of Central Office and would have been dismantled by several different teams and numerous members within DPS. This is a reasonable standard of measurement and level of achievement since dismantling these systems will involve several different teams within the organization and may require these systems to be replaced immediately should it be tied to state regulations and/or policies. The reorganization of Central Office staff is intended to remove silos between divisions and to provide resources at the school level as we recover from the effects of the pandemic.

**Rationale:** This is a reasonable interpretation which is designed to dismantle systemic structures in an ongoing and persistent manner. It has taken centuries of discrimination and oppression to create the current

system in which we work and lead. It will take a persistent effort of all staff members to dismantle these systems and structures anchored in racial discrimination.

## Measures for May 2022

Measure	Fam. of Schools or District Run	Target	Baseline	Monitoring	Justification
1.1.1 # of systems identified for dismantling or revision	FOS & DR	2 systems identified <i>(weight=2 each)</i>	How many systems currently? Zero identified	May	This is the main action expressed in the Ends.  SPED Systems Identified listed <a href="#">here</a>

### Aggregation Methodology

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

## EVIDENCE OF OUTCOMES ACHIEVED

**Goal:** Discover and dismantle persistent and enduring systems of oppression within our school system, and rebuild more equitable student, family and team member experiences.

### 1. Board Governance Structure Identified for Dismantling

- a. The Board of Education created a resolution to shift away from a governance model that was embodied by :
  - i. the creation of resolutions in order to communicate with the superintendent,
  - ii. unclear roles and responsibilities between the Board of Education and the Superintendent and staff,
  - iii. unclear communication expectations between the Superintendent’s staff and the Board of Education,
  - iv. unclear separation of the policies that govern the Board of Education and the Superintendent’s Administration policies, and
  - v. Unclear and inconsistent performance evaluation criteria for the superintendent.

### Resulting Action: **Shift to Policy Governance**

- a. Contracted with the Colorado Association of School Boards to begin discussions about the template being used to shift to Policy Governance.
- b. In support of the Board of Education’s shift to Policy Governance, we have hired a Governance Officer who:
  - a. Supported the Board of Education in establishing a policy manual by November 2021 to include:
    - i. Board Superintendent Relationship Policies

- ii. Governance Process Policies
  - iii. Ends Policies and
  - iv. Executive Limitation Policies
- b. Earned a Governance Systems Professional Certification in May of 2022 to serve as a resident expert in Policy Governance
- c. Supports the Board of Education in issues of compliance with adopted policies
- c. Established communication expectations for the Senior Leadership Team to be consistent with Policy Governance. Policy Governance is now a regular agenda item during our Senior Leadership meetings. Communication protocols were shared with the SLT on several occasions and as needed.
- d. Board now communicates its expectations with the Superintendent through written policies
- e. Established clear expectations for the evaluation of the superintendent through outcomes tied to Ends and Executive Limitations policies

## **2. Central Office Structure Identified for Dismantling:**

- a. Dr. Marrero's Listening and Learning tour, and the ERS report indicated the following challenges with the current office structure that needed to be addressed:
  - i. Siloed Structure of Central Office Divisions
  - ii. Lack of clarity to the role of schools and district office teams
  - iii. School support does not emphasize strategic support around most important priorities
  - iv. Strong district systems are not consistently translating into strong school practices
  - v. Greater clarity is needed to resolve overlapping, often uncoordinated support among departments
  - vi. Annual planning and budgeting processes do not currently maximize how resources are used centrally and at schools

### **Resulting Action: Central Office Reorganization:**

- a. Central Office Divisions have been dismantled and replaced with a new model which better aligns Academics and Schools. In addition, Schools have been restructured into Collaboratives that include a wide variety of the family of schools so that learning can be shared. This will provide more clarity to the role of schools and district office teams and allow us to better work across departments to solve complex problems.
- b. The Office of Strategic Planning is now placed in the Office of Chief of Staff and is now aligned to the district's Ends Statements which capture the most important priorities of the district.
- c. Overlapping support among central office departments has been resolved in order to achieve greater clarity.
- d. The new Central Office structure is represented in the following chart: <https://drive.google.com/file/d/1IKrLj7YNBYbwIcHwyGKHj89MdqWEeyFW/view>
- e. First, my experiences throughout DPS over the last year have been eye-opening. Almost every day, I witness talented, kind, and compassionate professionals caring for each other and for young people and their families. I

have a growing respect for the efforts that Team DPS members are making to help young people flourish and thrive despite the ongoing disruption from the pandemic.

Second, I am impressed and encouraged by the coming together of staff and community members who joined forces to form a Superintendent's Transition Advisory Team. This team of 60, along with the three chairs, worked from October to December to identify a set of 10 priority statements. The Transition Team relied on insights that emerged from a comprehensive Listening and Learning Tour that I conducted from July to early October. The 10 priority statements will guide our efforts going forward as we work from February through May to assemble a next-generation strategic plan.

The new organizational structure captures the new alignment outlined above.

### **3. Special Education Systems Identified for Dismantling**

#### **a. Students in Affective Needs (AN) and Separate School settings**

##### **i. Affective Needs Programming**

In response to the overwhelming number of black and brown students contained within AN Center programming, and replacing it with stronger professional development for teachers on how to deal with student behaviors at tier 1 and tier 2 levels. In addition, more support has been dedicated to supporting schools with assessing student needs via IEPs and the creation of strong behavior plans that allow students to access general education programming in a more inclusive and responsive environment

1. Over the last 3 years (need the demographic data for students in the AN center
2. We believe this system has been oppressive for the following 3 reasons:
  - a. Disproportionality data of #/% of students at LRE3 AN
  - b. #/% of transitioning or "stepping down" from AN to M/M
  - c. #/% graduation rate, and/or on-time graduation
3. LDT - Location Determination Process
4. Center Placements - overall - disparity in school inclusion and exposure to typical peers

##### **ii. Separate School programming in DPS**

Discontinuation of the existing contract with Sierra at Barrett and the creation of a district-run Special School program

1. Given the continued contractual obligations that have continually not been met resulting in less than quality programming for DPS students attending the Sierra School at Barrett and the resulting negative impact on students, we proposed to create our own separate school program.
2. Specific concerns regarding contractual obligations that were not met include but are not limited to are: use of appropriate restraint practices, training of mental health staff, staff absences/vacancies, non-compliance to district policy and procedures, truancy reporting, threat assessment, supporting credit completion, diplomas and

notification to appropriate district personnel regarding student and programming concerns.

3. Additionally, the current plan for a DPS run program will include additional staffing to support the unique needs of these students and to help mitigate our legal risk when we are not meeting student placement obligations. Additional and intentional professional learning opportunities for staff along with team and program culture work will also require additional resources to support high-quality programming for our students that results in a transition to a lower level of care.
4. Colorado has consistently limited options to support students who need a higher level of care. We anticipate 16 total facilities for direct access to refer students from district's across the state.
5. Facilities, including day treatment programs, have the option to choose and select students for placement that have been referred. This results in delays in finding appropriate programming for students and can result in a denial of FAPE. Additionally, outside facilities have the ability to determine when they are discharging students and only provide 30 days notice for districts to find an appropriate placement to meet the needs of the students. This notice often places students at risk of being without placement and a poor transition to another alternative.

**b. Section [504 Programming Disparity](#)**

**Overview:** Section 504 of the Rehabilitation Act of 1973 is a federal law. It is a civil rights law that is a foundation of equity for students with disabilities and it's focus is on non-discrimination. The law prohibits the denial of access and participation in a school's programs and activities based on disability. For students who are found eligible to have equal opportunity to participate and benefit, they must receive services and/or accommodations that level the playing field with their same aged general education peers.

- i. Section 504 is a non-funded mandate meaning that it is funded solely through district general funds and there are no additional funding sources coming into the district to support implementation.
  1. School Leaders are tasked with including appropriate FTE to support our Child Find Obligation in order to appropriately follow Section 504 procedural guidance, intentionally planning and support. This is most often not considered and not seen in the fall adjustment requests nor accounted for in initial FTE planning.
  2. Specialized Service Providers support services through their central FTE. There are no current processes to support FTE adjustments for central positions through fall adjustment or additional resources.
  3. Currently, we have one Section 504 Specialist to support all Section 504 coordinators across all schools in the district. In order to commit to ensure appropriate implementation of the Child Find and Section 504 process and prevent discrimination, consideration for additional central support should be considered.

ii. Section 504 Implementation concerns

1. All 504 coordinators have not completed the asynchronous Section 504 training in learning space.
2. Schools do not designate two coordinators who are licensed & in the building a minimum of 4 days per week.
3. All 504-eligible students do not have procedural requirements - signed consent, evaluation/re-evaluation & annual meeting.
4. Failure to evaluate for special education or issue Prior Written Notice (PWN) and evaluating a student under Section 504
5. Students funneled to MTSS to avert or delay Child Find obligation
6. Students funneled to Pathways schools
7. Current school board policy needs to be updated to support improved practice and parent access to due process rights
8. Parent, student, staff and school leader understanding of the purpose and foundation of Section 504: It is for students with disabilities in need of equal rights for access and opportunity in education, not maximization of potential and excellence. If teams let teams dictate and pressure teams for inappropriate services and accommodations, we are impacting the equity of all students.

In addition, I continue to identify and dismantle the previous systems identified by my predecessors in alignment with the Black Excellence Resolution. Please determine if you'd like to include this information below for BER and LGBTQ.

**Black Excellence Resolution (BER)**

**The following Systems have been identified as being in need of Dismantling:**

1. Deficit mindsets that lead to actions and behaviors that disproportionately impact Black students - including those anchored in bias about the inherent talent, gifts, abilities and daily experiences they have in our district
2. Institutional structures and procedures that **overidentify** Black students for disciplinary action
3. Institutional structures and procedures that **under identify** Black students for rigorous learning experiences

**Response:** In alignment with the Black Excellence Resolution (BER) and in support of addressing deficit mindsets, my team has established the following:

- Ongoing implicit bias learning to educate all members of Team DPS about oppressive versus inclusive practices in education
  - Equity Experience Modules, Culturally Responsive Education, DPSSkills
- Black Excellence Plans to:
  - Examine and address mindsets and practices of adults that perpetuate historical patterns of inequity
  - Strengthen Black Family Engagement- including Black Multilingual Learners and Families
  - Results from BEP Learning Cohort through meetings and Empathy Interviews to identify best practices and strategies for effective implementation

**LGBTQ+ Initiatives and Supports**

**The following Systems have been identified as being in need of Dismantling::**

1. Historical silencing and erasure of LGBTQ+ identities in school systems
2. Exclusion of LGBTQ+ students and team members in DPS database systems, curriculum and school building infrastructure
3. Deficit mindsets that lead to actions and behaviors that disproportionately impact LGBTQ+ students - including those anchored in bias about the inherent talent, gifts, abilities and daily experiences they have in our district
4. Institutional systems and structures that have not been inclusive of sexual, gender, and family diversity

**Response:**

- Establishment of an LGBTQ+ Program Manager role in DPS.
- Assessment and updates to data platforms to recognize all team members
- Updates to Infinite Campus and registration forms to recognize LGBTQ+ students and families
- Streamlined access to curricular resources
- Streamlining of policies and practices through the creation of the DPS LGBTQ+ toolkit
- Increase visibility of LGBTQ+ identities through DPS social media, curricular resources, and opportunities for community building
- HR transition to Oracle system will contain a streamlined process for staff in transition and will offer at least 1 non-binary gender option
- Wellness survey given in March 2021 gave students option to self-identify their sexual orientation and gender for the first time in DPS. LGBTQ+ specific questions were asked. Disaggregated data allows district to use data to understand the experiences of LGBTQ+ students
- DPS SKILLS professional development being updated to center student voice through the creation of a documentary (est. finish date 12/22)

## Summary

My team has identified three major systems in need of dismantling. The Special Education systems identified has three subsystems. This brings the total number of systems identified for dismantling to five(5). They are: as follows:

1. Board Governance framework shift to Policy Governance
2. Reorganization of the Central Office to better align with the Board's Ends Policies
3. Three Special Education systems were identified as having a need for dismantling. They are:
  - a. Affective Needs programming for students
  - b. Separate School programming for students in DPS and
  - c. Section 504 Programming disparity

In addition to the systems identified above, we are also continuing the work to dismantle the systems identified by my predecessors with regard to the Black Excellence Resolution and the LGBTQ+ Initiatives and Supports.

## Additional Resources:

- i. **Further information Based on the ERS Study recommendations can be found in this section.**

Last fall, we partnered with Education Resource Services (ERS), a national organization known for its expertise in managing public funds in school districts, to assess our organization and identify how we can more efficiently utilize resources in a way that improves educational excellence. We invite you to read the full [ERS findings here](#). These findings informed our steps around restructuring and parallel strategic planning. Several of the key findings follow:

- **Revisit and revise the theory of action** that guides DPS decisions and action. Identify clearer pathways to student success. Broaden opportunities available to our most marginalized students. Direct more resources and better support to students who face the steepest climb.
- **Strengthen Central Support to school linkage**. Increase coherence within the school district by improving communication between leaders at the Central Office and leaders at school sites. Clearer guidance will enable schools to unleash creativity and continuous improvement.
- **Tighten Central Support to schools by ensuring resources align to highest priority**. Narrow our priorities. If everything is of equal importance, there are no priorities.
- **Go farther to distribute funds equitably to drive greater equity in student experience**. Seek (and monitor) equity in distribution of resources between and within schools.
- **Set the expectation that school-level improvement plans will address and support district-level goals**. Taking this approach can advance collaboration and promote continuous improvement system-wide.
- **Re-organize the Central Support staff so functions are more tightly linked to Board of Education policy aims**. Form should follow function.
- **Align school and Central spending more intentionally to Board-adopted district priorities**. Ensure Board-approved [Ends Statements](#) are the focal point for school and Central Support expenditures.
- **More systematically engage the community in budget formation and budget forecasting**. Doing so can lead to more widespread understanding of – and support for – tough decisions.

#### EXPLANATORY NOTES FOR PREPARING A MONITORING REPORT

**Non-compliance:** If a CEO is indicating Non-compliance, a date by when compliance can be expected should be included.