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To: [Xochitl Gaytan](#)
Subject: Governance Framework and Superintendent Contract Compliance
Date: Monday, June 8, 2026 8:29:25 AM

Dear President Gaytan,

I am writing to provide additional context regarding my ongoing concerns about the Board's adherence to our adopted Policy Governance framework and to formally express that the current trajectory is becoming increasingly difficult to sustain in a manner consistent with my contractual obligations, the Board's policies, and the best interests of Denver Public Schools.

As you know, my employment agreement expressly incorporates Policy Governance as the governing framework for the relationship between the Board and Superintendent. The framework is intentionally designed to establish clear lines of accountability, delegation, and authority. The Board governs through policy and collective action. The Superintendent is empowered to lead operations, develop strategy, implement Board policy, and be held accountable through monitoring and evaluation.

Over the last year, I have observed an increasing pattern of conduct that departs from these principles. While individual incidents may appear isolated, collectively they demonstrate a growing erosion of the governance boundaries that are fundamental to the system the Board itself adopted.

Most recently, the June 3, 2026, Open Meetings Law and Policy Assessment memorandum again highlighted concerns regarding delegated authority, chain of command, individual Board member involvement, and governance compliance. While the memorandum stops short of making factual findings, I have heard some concerning facts about the situation. Absent of fact-finding and outcomes, it does reinforce concerns that I have repeatedly raised privately and publicly regarding the distinction between governance and administration.

What is particularly concerning is that many of the governance principles referenced in that memorandum are the very same principles that have been repeatedly implicated through Board conduct over the last several years.

As Superintendent, I have participated in four formal evaluations, completed required annual self-assessments, presented dozens of Reasonable Interpretations, responded to countless requests for information, and subjected district operations to extensive monitoring. A fifth evaluation is scheduled for this fall. This level of accountability is appropriate and fully consistent with Policy Governance.

However, the Board has not conducted a comparable self-assessment of its own compliance with Governance Process or Board-Superintendent Relationship policies during my tenure.

GP3 explicitly requires the Board to hold itself accountable by monitoring Governance Process and Board-Superintendent Relationship policies. GP1, GP2, GP4, GP8, GP9, and GP10 similarly establish expectations regarding Board conduct, self-discipline, role clarity, delegation, and monitoring. Yet those policies have largely remained unmonitored by the Board itself.

This creates a significant governance imbalance. Accountability within a Policy Governance

system is intended to be reciprocal, not one directional. The Superintendent is monitored for compliance with Ends and Executive Limitations. The Board is expected to monitor itself for compliance with Governance Process and Board-Superintendent Relationship policies. When only one side of that equation is functioning, the integrity of the model begins to break down.

I remain particularly troubled by the February 5, 2026, executive session during which I was excluded despite explicit contractual language guaranteeing my participation in executive sessions except when discussing my employment, evaluation, or compensation. That exclusion represented a direct violation of my employment agreement, and, to date, I have not received a formal explanation regarding how it occurred, what governance analysis was conducted, or what corrective actions have been implemented to prevent a recurrence.

Additionally, I remain concerned by continued discussions and actions that appear to move the Board further into operational matters rather than policy oversight.

For example, during the May 7, 2026, Board meeting, Director Youngquist expressed enthusiasm regarding the proposed Elementary Literacy Executive Limitation because it would allow the Board to engage more deeply in the work and potentially "refine the work." During that same meeting, the Board was presented with the district's proposed budget, one of its most significant governance responsibilities, yet comparatively little discussion occurred regarding refinement of financial strategy.

I raise this not as criticism, but as a reminder that Policy Governance requires discipline regarding where the Board focuses its attention. Throughout my tenure, I have observed repeated efforts by individual Board members to become involved in academic implementation, instructional decisions, school operations, and administrative matters that fall squarely within the Superintendent's delegated authority. Conversely, there has been far less interest in directing or refining operational areas where the Board has historically respected administrative boundaries, such as finances, capital planning and implementation.

Even during the May 7 discussion, you appropriately noted concerns that the proposed direction could result in accountability shifting from the Superintendent to the Board itself. I agreed with that assessment. Under the model we have adopted, the Board defines desired outcomes through policy. The Superintendent develops strategy, implements operations, provides evidence of progress, and is evaluated based upon results. When the Board begins directing implementation, accountability becomes blurred and the governance model ceases to function as designed.

Similarly, recent discussions regarding Innovation Schools have further highlighted this challenge.

During the Board's April 15 meeting, several questions arose regarding my recommendations and interpretation of Board policy. Those discussions reinforced an important governance question that remains unresolved: if a process established by Board policy is followed, is there an expectation that the Superintendent must nevertheless bring forward a particular recommendation desired by individual Board members? The answer to that question has significant implications not only for Innovation applications but for every area where the Superintendent is expected to exercise professional judgment within the boundaries established by Board policy.

Likewise, Board discussion regarding EL-18, EL-20, and EL-22 acknowledged that Board

policies are interconnected and operate continuously, not selectively. That principle is fundamental to Policy Governance. Executive Limitations are not isolated provisions that can be ignored when inconvenient. They establish the operating boundaries within which I am required to exercise authority at all times.

I am also compelled to reiterate concerns regarding any efforts to create structures that function as a parallel legal advisory system separate from the District's General Counsel. Given the substantiated findings involving Director Youngquist's conduct toward both General Counsel Aaron Thompson and me, any material changes to long standing legal processes, legal reporting relationships, or governance support structures require heightened transparency and scrutiny. Such changes risk creating perceptions of retaliation, undermine established reporting structures, and further complicate governance responsibilities.

I must also be candid that this situation has moved beyond a governance disagreement and now raises serious concerns regarding compliance with my employment agreement.

My contract expressly incorporates Policy Governance as the governing framework for the relationship between the Board and Superintendent. As such, adherence to Governance Process and Board-Superintendent Relationship policies is not merely aspirational; it is a contractual agreement. When those policies are repeatedly disregarded, circumvented, or selectively applied, the issue is no longer limited to governance practice. It becomes a matter of compliance with the terms under which I was hired and continue to serve.

Most notably, the February 5, 2026, executive session exclusion constituted a direct violation of my employment agreement. The contract clearly guarantees my participation in executive sessions except when matters specifically related to my employment, compensation, or evaluation are being discussed. To date, there has been no formal acknowledgment of the violation, no explanation regarding how it occurred, and no discussion of corrective actions to prevent a recurrence. If it were not for my intervention, I would have been excluded.

I do not believe any employee of Denver Public Schools would be expected to simply ignore a violation of their employment agreement. Nor do I believe the Board would advise an employee to do so. Yet that is effectively what has occurred here. The violation has been treated as though it were a minor procedural matter rather than a breach of the contractual framework governing the Board's sole employee.

At some point, we must acknowledge that the issue is no longer whether a particular policy was misunderstood or whether a single governance boundary was crossed. The issue is whether the Board intends to consistently honor the governance model and contractual commitments it adopted. If the Board believes a different governance model should exist, there are established policy mechanisms to make those changes. Until then, both the Board and Superintendent remain obligated to operate within the framework currently in place.

Respectfully, I can no longer ignore these concerns. Continued contractual violations, coupled with ongoing departures from Policy Governance, create uncertainty regarding authority, accountability, and the expectations under which I am expected to perform my duties. That uncertainty is not healthy for the organization, the Board-Superintendent relationship, or the District as a whole.

Although I know that in some of these cases, they are deliberate, I also believe many of these challenges are exacerbated by the fact that several members of the current Board are relatively

new to public school board governance generally. Governance is learned through experience, and there is a natural learning curve. However, the solution cannot be to operate outside the framework while learning it. Rather, it should be to recommit ourselves to understanding and faithfully implementing the model the Board has chosen.

An increasing concern is the dynamics of the board and how my team and I are in the crosshairs. Board members not speaking to each other, canceling 2x2 meetings because of who they are paired up with and a litany of ongoing interpersonal issues amongst board members puts me in a no-win situation. This is why I have characterized the current trajectory as increasingly untenable. The District deserves stability. The Board deserves clarity. And the Superintendent deserves the benefit of the contractual and governance protections established by the Board itself.

Respectfully,

Dr. Alex Marrero

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