

**Fourth Quarter Report on 2021-22 Benchmarks
and Final Goals/Disengagement Standards**

Updated - August 8, 2022

Goal 1

The District will increase the percentage of SWD who demonstrate proficiency on ELA and Mathematics tests, during the years in which SED administers ELA and Math tests, up to and including the 2022-2023 school year, to percentages to be negotiated by the parties, ¹ as set forth in the table below.

	Past Performance	Past Performance	Interim Benchmarks			Final Goal (Disengagement Standard)
School Year	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023
Percentage of SWD with Proficient-Level ELA Scores	2%	2%	Not reported – no testing	No Benchmark ²	To Be Negotiated	To Be Negotiated
Percentage of SWD with Proficient-Level Math Scores	2%	3%	Not reported – no testing	No Benchmark	To Be Negotiated	To Be Negotiated

Goal 1 Benchmark Analysis

What actions has the District taken to achieve the benchmark?

Not applicable for Q4 report. If applicable, this information will be provided in the 2021-22 Annual Report.

Did the District meet the benchmark?

2021-22 Q4 There is no quarterly reporting on this Benchmark.

2020-2021 Students took a portion of the Common Core Assessment (Part I only) with waivers. 81% of SWD took ELA

¹ The parties agreed to renegotiate the measurable interim performance benchmark for the 2021-2022 school year, and the final goal disengagement standard due to the effects of the Covid-19 pandemic on education, and planned changes to New York State assessments following the implementation of Next Generation Learning Standards. Negotiations will begin within 30 days after New York State releases its plan for the 2021-2022 Next Generation Learning Standards assessments and will be completed no later than 60 days thereafter.

² In February 2021, the United States Department of Education directed states to administer standardized assessments. Many states including New York State have applied for a waiver. The waiver would provide that assessment data would be reported, but data would not be used for accountability purposes. Similarly, for the 2020-2021 school year, the District will report the outcomes of any assessments that are administered, however, those outcomes will not be used for benchmark purposes.

and 80% of SWD took Math
2019-2020 No assessments due to the Pandemic

What steps or resources are needed to meet the next benchmark?

Not applicable for Q4 report. If applicable, this information will be provided in the 2021-22 Annual Report.

Goal 2

The District will increase the June graduation rate of SWD by a minimum of 4% per year, and achieve a graduation rate of at least 52% in the 2021-2022 school year, as set forth in the table below.

	Past Performance	Past Performance	Interim Benchmarks		Final Goal (Disengagement Standard)
School Year	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022
SWD June Graduation Rate	36%	42%	Not Reported ³	Not Reported ⁴	52%

Goal 2 Benchmark Analysis

What actions has the District taken to achieve the benchmark?

Not applicable for Q4 report. If applicable, this information will be provided in the 2021-22 Annual Report.

Did the District meet the benchmark?

2021-22 Q4: There is no quarterly reporting on this Benchmark
2020-21 June SWD Graduation Rate: 47%; August SWD Graduation Rate 51%
2019-20 June SWD Graduation Rate: 47%; August SWD Graduation Rate 48%

What steps or resources are needed to meet the next benchmark?

Not applicable for Q4 report. If applicable, this information will be provided in the 2021-22 Annual Report.

³The District will provide any data released from New York State regarding June 2021 graduation rates to Plaintiffs' counsel, for information purposes only, pursuant to the reporting schedule in the Stipulation of Settlement.

⁴The District will provide any data released from New York State regarding June 2021 graduation rates to Plaintiffs' counsel, for information purposes only, pursuant to the reporting schedule in the Stipulation of Settlement.

Goal 3

The District will decrease the number of SWD subjected to LTS by .5 percentage points per year, bringing the overall SWD LTS rate to 2% by the end of the 2021-2022 school year. Furthermore, the District will eliminate any significant discrepancy between the number of African American and Hispanic SWDs and white SWD who are subject to LTS by the 2021-2022 school year, as set forth in the table below.

	Past Performance	Past Performance	Interim Benchmarks		2021-22 Q4 Progress	Final Goal (Disengagement Standard)
School Year	2017-2018	2018-2019	2019-2020	2020-2021		2021-2022
SWD LTS Rate	4%	2.4%	3%	Dependent on school reopening ⁵	0.12%	2%
Racial Disparity Index of African American and Hispanic SWD LTS Rate Versus White SWD LTS Rate	2.5	0.98	1.83	Dependent on school reopening	1.80	1.0 or the standard deviation for the LTS Rate as calculated by New York State ⁶ , whichever is higher.

Goal 3 Benchmark Analysis

What actions has the District taken to achieve the benchmark?

Not applicable for Q4 report. If applicable, this information will be provided in the 2021-22 Annual Report.

Did the District meet the benchmark?

LTS Rate: 2021-22 Q4: The final Goal/Disengagement Standard for the SWD LTS Rate is 2%. As of Q4, the District's data cannot generate with exactitude the number of LTS Suspensions for students due to an issue currently existing in

⁵There will be no reporting to the Court on the 2020-2021 benchmark if in-person learning does not resume during the 2020-2021 school year. While there is no reporting to the Court, the District will provide internal data on the SWD LTS rate, for information purposes only, pursuant to the reporting schedule in the Stipulation of Settlement.

If school resumes in person, full-time, five days per week, for all students in one or more grade levels, at any time during the 2020-2021 school year, for at least 60 consecutive school days, the District will report to the Court regarding the SWD LTS rate, and the Racial Disparity Index for SWD LTS suspension rates among African American and Hispanic SWD versus white SWD, during that period. The benchmark for 2020-2021 for SWD LTS rate is 2.5%. The benchmark for 2020-21 for the Racial Disparity Index is 1.42.

⁶New York State standard for deviation for LTS rate is calculated yearly by New York State based on the statewide average for suspensions. The standard deviation is included in the State's report on State Performance Plan Indicator 4, Rates of Suspension and Expulsion, in the table titled "Relative Risk Calculations for Suspension of Students with Disabilities (SWD) for More than Ten Days" at Column E "Standard Deviation for Suspension Rate (all races)" and is stated in "Criteria for Notification and Explanation of Data Used for State Performance Plan Indicator 4 High Rates of Suspension and Expulsion." In the 2018-2019 Indicator 4 Report and Criteria for Notification, dated November 23, 2018, the standard deviation was 1.149%.

PowerSchool with respect to coding for suspensions as well as distinctions between the definition for LTS (long term suspensions) as reported on the consent decree versus OSS (out of school suspensions) as reported to the State. The approximate estimated percentage from the beginning of Q4 to the end of Q4 may be 0.12%.

LTS Rate Adjustments for 2021-22 Q2 and Q3: The Final Goal/Disengagement Standard for the SWD LTS Rate is 2%. As of Q3, the District's data could not generate with exactitude the number of LTS suspensions for students due to an issue in PowerSchool. As reported in Q3, "The approximate estimated percentage may be 1.6%". The previously reported rates for Q2 (2%) and Q3 (1.6%) were based on a snapshot from the beginning of the school year to the date in time that the data was captured. A recalculation of the same data from the beginning of each marking period (rather than the start of the school year) to the end of each marking period for Q2 yields an LTS suspension rate of 0.6% and for Q3 an LTS suspension rate of 0.55%.

Racial Disparity Index 2021-22 Q4: The Final Goal/Disengagement Standard for the Racial Disparity Index of African American and Hispanic SWD LTS Rate Versus White SWD LTS Rate is 1.0 or the standard deviation for the LTS Rate as calculated by New York State⁷, whichever is higher. As of Q4 the District's data cannot generate with exactitude the index, however, the approximate estimated index during Q4 may be 1.80

What steps or resources are needed to meet the next benchmark?

Not applicable for Q4 report. If applicable, this information will be provided in the 2021-22 Annual Report.

⁷ New York State standard for deviation for LTS rate is calculated yearly by New York State based on the statewide average for suspensions. The standard deviation is included in the State's report on State Performance Plan Indicator 4, Rates of Suspension and Expulsion, in the table titled "Relative Risk Calculations for Suspension of Students with Disabilities (SWD) for More than Ten Days" at Column E "Standard Deviation for Suspension Rate (all races)" and is stated in "Criteria for Notification and Explanation of Data Used for State Performance Plan Indicator 4 High Rates of Suspension and Expulsion." In the 2018-2019 Indicator 4 Report and Criteria for Notification, dated November 23, 2018, the standard deviation was 1.149%. The state's Indicator 4 calculation is conducted 1-2 years out and will not be available for 21-22 Q4 until either the 22-23 school year or the 23-24 school year.

Goal 4

The District will increase the number of SWD who receive their instruction in general education classrooms for at least 80% of their day by 3.3% each year, bringing the total percentage of SWD who receive their instruction in general education classrooms more than 80% of the day to 65% by the end of the 2021-2022 school year. The District will also decrease the number of SWD who receive their instruction in general education classrooms less than 40% of their day by 1.5% a year, bringing the total percentage of students who receive their instruction in general education classrooms less than 40% of their day to 17.6% by the end of the 2021-2022 school year, as set forth in the table below.

	Past Performance	Past Performance	Interim Benchmarks		Final Goal (Disengagement Standard)
School Year	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022
In Gen. Ed. setting more than 80%	51.8%	49.8%	58.4%	Dependent on school reopening ⁸	65%
In Gen. Ed. setting less than 40%	23.6%	22.1%	20.6%	Dependent on school reopening	17.6%

Goal 4 Benchmark Analysis

What actions has the District taken to achieve the benchmark?

Not applicable for Q4 report. If applicable, this information will be provided in the 2021-22 Annual Report.

Did the District meet the benchmark?

2021-22 Q4: There is no quarterly reporting on this Benchmark.

What steps or resources are needed to meet the next benchmark?

Not applicable for Q4 report. If applicable, this information will be provided in the 2021-22 Annual Report.

⁸ There will be no reporting to the Court on the 2020-2021 benchmark if in-person learning does not resume during the 2020-2021 school year. While there is no reporting to the Court, the District will provide internal data on LRE, for information purposes only, pursuant to the reporting schedule in the Stipulation of Settlement.

If in-person learning resumes in person, full-time, five days per week, for all students, in one or more grade levels, at any time during the 2020-2021 school year, for at least 60 consecutive school days, the District will report to the Court regarding the LRE benchmarks during that period. The benchmark for 2020-2021 for SWD in the Gen. Ed. setting more than 80% is 61.7%. The benchmark for 2020-2021 for SWD in the Gen. Ed. setting less than 40% is 19.1%.

Goal 5

The District will decrease the percentage of current District SWD who are changed or transferred from the school they are attending because of lack of necessary classrooms or programs recommended by the CSE from approximately 7.3% to 1%⁹ by the end of the 2021- 2022 school year, by efforts including having a continuum that is inclusive of Consultant Teacher and Resource Room Services, Integrated Co-teaching, Special Class options and related services.

	Past Performance	Past Performance	Interim Benchmarks		2021-22 Q4 Progress	Final Goal (Disengagement Standard)
School Year	2017-2018	2018-2019	2019-2020	2020-2021		2021-2022
Percentage of SWD changing schools following CSE recommendation	7.3%	4%	4%	Dependent on school reopening ¹⁰	2.10%	1%

Goal 5 Benchmark Analysis

What actions has the District taken to achieve the benchmark?

Not applicable for Q4 report. If applicable, this information will be provided in the 2021-22 Annual Report.

Did the District meet the benchmark?

2021-22 Q4: Using a report from PowerSchool, for the fourth quarter, using the fields Enrollment Adds-Chgs, filtering by including the following: Entry Codes – Sp Ed Srv Available and Sp Ed Srv Available (Spec Program); Exit Codes – Transfer within District, and Null; and filtering by removing placements such as BOCES, Mary Cariola, and other programs for SWD with high or very specialized needs, the percentage of Students with Disabilities changing schools following CSE Recommendations for Q4 is 2.10%

What steps or resources are needed to meet the next benchmark?

Not applicable for Q4 report. If applicable, this information will be provided in the 2021-22 Annual Report.

⁹District SWDs who have high or very specialized needs, or who change schools or transfer programs to attend the following programs, will not be included in the reported percentage: Autism Spectrum Disorder (“ASD”) 6:1+4, ASD 6:1+2, ASD 6:1+1, ASD Connect, Social Communication 12:1+3, Social Communication 12:1+1, Language Enriched Integrated Co-Teaching, School to Employment Programs (“STEPS”), New York State Alternate Assessment (“NYSAA”) 12:1+1, NYSAA 8:1+2, NYSAA 12:1+3, Diagnostic Transition Program 8:1+3, Growth and Education for Students with Multiple Disabilities (“GEM”) 12:1:(3:1), and all bilingual special education programming.

¹⁰If in-person learning for all students does not resume for the 2020-2021 school year, there will be no reporting to the Court on a 2020-2021 benchmark. While there is no reporting to the Court, the District will provide data on transfers of SWD students following a CSE recommendation pursuant to the reporting schedule in the Stipulation of Settlement, for information purposes only. In the event that full-time, five days per week, in-person learning, for all students, does resume for at least 60 consecutive school days, the District will report to the Court on the benchmark for that period. The 2020-2021 benchmark for SWD changing schools following CSE recommendation is 2%.

Goal 6

The District will increase the percentage of SWDs with legally compliant transition plans by 8% per year, bringing the overall number of transition plans to 95.3% by the end of the 2021-2022 school year, as set forth in the table below.

	Past Performance	Past Performance	Interim Benchmarks		2021-22 Q4 Progress	Final Goal (Disengagement Standard)
School Year	2017-2018	2018-2019	2019-2020	2020-2021		2021-2022
Percentage of SWD with Transition Plans	63.3%	71.3%	78.3%	87.3%	100%	95.3%

Goal 6 Benchmark Analysis

What actions has the District taken to achieve the benchmark?

Not applicable for Q4 report. If applicable, this information will be provided in the 2021-22 Annual Report.

Did the District meet the benchmark?

2021-22 Q4: The District conducted a review of 30 IEPs between April 13, 2022 and June 30, 2022. There were 30 compliant IEPs.

What steps or resources are needed to meet the next benchmark?

Not applicable for Q4 report. If applicable, this information will be provided in the 2021-22 Annual Report.

Goal 7

The District will decrease the percentage of overdue initial, annual, and reevaluation review meetings from 28% to 5% by the end of the 2021-2022 school year. By the end of the 2021- 2022 school year, 95% of SWDs will have timely initial, annual, and reevaluation review meetings.

	Past Performance	Past Performance	Interim Benchmarks		2021-22 Q4 Progress	Final Goal (Disengagement Standard)
School Year	2017-2018	2018-2019	2019-2020 ¹¹	2020-2021		2021-2022
Percentage of Overdue Meetings	28%	15%	16%	10%	7.05%	5%

Goal 7 Benchmark Analysis

What actions has the District taken to achieve the benchmark?

Not applicable for Q4 report. If applicable, this information will be provided in the 2021-22 Annual Report.

Did the District meet the benchmark?

2021-22 Q4: The estimated current percentage of overdue meetings is approximately 7.05%

What steps or resources are needed to meet the next benchmark?

Not applicable for Q4 report. If applicable, this information will be provided in the 2021-22 Annual Report.

¹¹Due to the COVID-19 pandemic, the data used to calculate the 2019-2020 benchmark was measured from July 1, 2019 to March 1, 2020. The data used to calculate the 2020-2021 benchmark will be measured from September 8, 2020 to June 30, 2021. The past performance data and the data used to calculate the 2021-2022 benchmark were measured, and will be measured, from data from July 1 to June 30.

Goal 8

The District will decrease the number of variances by Commissioner approval by at least 50% each year, bringing the overall number of variances due to the District’s lack of capacity to a maximum of two variances by the end of the 2021-2022 school year. The District will also increase the percentage of related services reported in Frontline IEP by 4% each year, ending in 87% of services provided by the 2021-2022 school year, as set forth in the table below.

	Past Performance	Past Performance	Interim Benchmarks		2021-22 Q4 Progress	Final Goal (Disengagement Standard)
School Year	2017-2018	2018-2019	2019-2020 ¹²	2020-2021		2021-2022
Number of Variances by Commissioner Approval Due to Lack of Capacity	41	6	10	5	0	2
Percentage of Providers Reporting Services in Frontline	71%	72%	79%	83%	98% ¹³	87%

Goal 8 Benchmark Analysis

What actions has the District taken to achieve the benchmark?

Variances:

Not applicable for Q4 report. If applicable, this information will be provided in the 2021-22 Annual Report.

Frontline Reporting:

Not applicable for Q4 report. If applicable, this information will be provided in the 2021-22 Annual Report.

Did the District meet the benchmark?

2021-22 Q4: The current number of variances by Commissioner Approval is 0.

2021-22 Q4: The percentage of service providers reporting service in Frontline during Q3 is 98%.

What steps or resources are needed to meet the next benchmark?

Not applicable for Q4 report. If applicable, this information will be provided in the 2021-22 Annual Report.

¹² Due to the COVID-19 pandemic, the data used to calculate the 2019-2020 benchmark was measured from July 1, 2019 to March 1, 2020. The data used to calculate the 2020-2021 benchmark will be measured from September 8, 2020 to June 30, 2021. The past performance data and the data used to calculate the 2021-2022 benchmark were measured, and will be measured, from data from July 1 to June 30.

¹³ This metric is verified for all related service providers: OT, PT and Speech, and Counseling in that providers no longer practicing in the District, or who have excused absences from service were not included in the denominator.

Goal 9

The District will increase the percentage of parent participation at AR meetings by 8% per year, bringing the parent participation rate to at least 51% by the end of the 2021-2022 school year, as set forth in the table below.

	Past Performance	Past Performance	Interim Benchmarks		2021-22 Q4 Progress	Final Goal (Disengagement Standard)
School Year	2017-2018	2018-2019	2019-2020 ¹⁴	2020-2021		2021-2022
Percentage of AR Meetings with Parent Participation	19%	47%	35%	43%	55%	51%

Goal 9 Benchmark Analysis

What actions has the District taken to achieve the benchmark?

Not applicable for Q4 report. If applicable, this information will be provided in the 2021-22 Annual Report.

Did the District meet the benchmark?

2021-22 Q4: The current percentage of parents, guardians and other applicable parental family members in attendance at AR and AR/RE meetings is approximately 55% (780 parents/1426 meetings).

What steps or resources are needed to meet the next benchmark?

Not applicable for Q4 report. If applicable, this information will be provided in the 2021-22 Annual Report.

¹⁴Due to the COVID-19 pandemic, the data used to calculate the 2019-2020 benchmark was measured from July 1, 2019 to March 1, 2020. The data used to calculate the 2020-2021 benchmark will be measured from September 8, 2020 to June 30, 2021. The past performance data and the data used to calculate the 2021-2022 benchmark were measured, and will be measured, from data from July 1 to June 30.

Goal 10

Conditioned on annual enrollment of Spanish-speaking ELL SWDs, the District will increase bilingual programming offered in the special education continuum, increasing the total number of bilingual programs (not including Consultant Teacher Services and Resource Room) by the end of 2021-2022 school year to 51, conditioned on enrollment, as set forth in the table below.

	Past Performance	Past Performance	Interim Benchmarks		Final Goal (Disengagement Standard)
School Year	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022
Bilingual Programs	24	26	29	39	51 ¹⁵

Goal 10 Benchmark Analysis

What actions has the District taken to achieve the benchmark?

Not applicable for Q4 report. If applicable, this information will be provided in the 2021-22 Annual Report.

Did the District meet the benchmark?

2021-22 Q4: There is no quarterly reporting on this Benchmark, however the number of programs for the 2021-22 school year is 60.

What steps or resources are needed to meet the next benchmark?

Not applicable for Q4 report. If applicable, this information will be provided in the 2021-22 Annual Report.

¹⁵ If enrollment of Spanish-speaking ELL SWDs declines so that 51 programs are unnecessary, the parties will meet, determine what other number of programs is sufficient to meet the needs of Spanish-speaking ELL SWDs, and the final goal disengagement standard will be changed accordingly. If the parties are unable to agree on the number of programs during renegotiation, the parties may proceed with the Alternative Dispute Resolution procedures set forth in the Stipulation of Settlement

Goal 11

The District will decrease the number of necessary Special Education teachers not certified in New York as set forth in the table below.

	Past Performance	Current Performance	Interim Benchmark	Final Goal (Disengagement Standard)
School Year	2018-2019	2019-2020	2020-2021	2021-2022
Special Education Teachers Not Certified in Special Education in New York State	46	38	26	21

Goal 11 Benchmark Analysis

What actions has the District taken to achieve the benchmark?

Not applicable for Q4 report. If applicable, this information will be provided in the 2021-22 Annual Report.

Did the District meet the benchmark?

2021-22 Q4: There is no quarterly reporting on this Benchmark, however, the number of Special Education teachers not certified in Special Education in New York State at BEDS Day for the 2021-22 school year is 38.

What steps or resources are needed to meet the next benchmark?

Not applicable for Q4 report. If applicable, this information will be provided in the 2021-22 Annual Report.

Goal 12

The District will reduce any significant discrepancy between the number of African American and Hispanic students who are newly-classified as SWD and white students who are newly- classified as SWD, due to any inappropriate policies, practices, and procedures by the District, as set forth in the table below.

	Past Performance	Past Performance	Interim Benchmarks		Final Goal (Disengagement Standard)
School Year	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022
Racial Disparity Index of Newly-Classified African American and Hispanic SWD Versus White SWD	1.17	0.90	1.10	1.05	1.0

Goal 12 Benchmark Analysis

What actions has the District taken to achieve the benchmark?

Not applicable for Q4 report. If applicable, this information will be provided in the 2021-22 Annual Report.

Did the District meet the benchmark?

2021-22 Q4: There is no quarterly reporting on this Benchmark.

What steps or resources are needed to meet the next benchmark?

Not applicable for Q4 report. If applicable, this information will be provided in the 2021-22 Annual Report.

Goal 13

The District will increase the number of mandatory, high quality professional trainings required for all special education teachers, special education administrators, and other individuals acting as the LEA for CSE meetings, bringing the overall number of such trainings to eight by the end of the 2021-2022 school year, as set forth in the table below.

	Past Performance	Past Performance	Interim Benchmarks		2021-22 Q4 Progress	Final Goal (Disengagement Standard)
School Year	2017-2018	2018-2019	2019-2020	2020-2021		2021-2022
Mandatory PD Trainings	1	2	3	5	9	8

Goal 13 Benchmark Analysis

What actions has the District taken to achieve the benchmark?

Not applicable for Q4 report. If applicable, this information will be provided in the 2021-22 Annual Report.

Did the District meet the benchmark?

2021-22 Q4: The District held 9 mandatory trainings in Q4.

What steps or resources are needed to meet the next benchmark?

Not applicable for Q4 report. If applicable, this information will be provided in the 2021-22 Annual Report.

Goal 14 – Strategic Plan

The District will utilize a five-year strategic plan, with an aspirational goal to fill all bilingual Special Education positions in the District with certified teachers or other Special Education related service providers who are both certified in New York State for Special Education and bilingual in Spanish by the beginning of the 2025-2026 school year. The Plan includes the following Key Performance Indicators/Measurable Benchmarks and Goals:

1. Percentage of bilingual special educators filled with a fully certified educator and educators working on certification extension on BEDS Day and first day of second semester.

2020-2021 Base	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026
33%	33	35	39	44	48

2. Percentage of bilingual special education school vacancies known by July 15 filled on Day One with a fully certified educator and educators working on certification extension.

2020-2021 Base	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026
31%	31	32	36	40	48

3. Percentage of effective, as defined by APPR, bilingual special education educators retained in their roles as of first day of school, who worked in the previous year (exclusive of those who are terminated, relocate out of the Rochester Standard Metropolitan Statistical area, are promoted within RCSD or retire.

2020-2021 Base	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026
100%	95	95	95	95	95

Goal 14 Benchmark Analysis

What actions has the District taken to achieve the benchmark?

Not applicable for Q4 report. If applicable, this information will be provided in the 2021-22 Annual Report.

Did the District meet the benchmark?

2021-22 Q4: There is no quarterly reporting on this Benchmark.

What steps or resources are needed to meet the next benchmark?

Not applicable for Q4 report. If applicable, this information will be provided in the 2021-22 Annual Report.