

N.N., et al. v. Rochester City School District
Civil Action No. 19-cv-06526

Annual Report on Final Goals and 2020-21 Benchmarks
October 29, 2021

Summary

Through the COVID-19 pandemic and related effects to education, the District has strived to serve its students and to maintain and/or increase its compliance with State and Federal Special Education requirements. The District is pleased to report that it is in full compliance with the 2020-21 Benchmarks set forth in the Consent Decree. For those Benchmarks reported during the 2020-21 School Year, the District remains on track to meet the Final Goals in the Consent Decree. The following is a summary of the District’s progress on meeting the Benchmarks and Final Goals.

Goal Number	Goal Description	Final Goal (Disengagement Standard)	2020-21 Benchmark	2020-21 Result Reported
1	Percentage of Students with Disabilities with Proficient-Level ELA Scores	To Be Negotiated	No Benchmark	Not Reported
1	Percentage of Students with Disabilities with Proficient-Level Math Scores	To Be Negotiated	No Benchmark	Not Reported
2	June Graduation Rate for Students with Disabilities	52%	No Benchmark	Not Reported
3	Long Term Suspension Rate for Students with Disabilities	2%	No Benchmark	Not Reported
3	Racial Disparity Index of African American/Black and Hispanic Students with Disabilities Subject to Long Term Suspension versus White Students with Disabilities	1.0 or the standard deviation for the rate as calculated by New York State, whichever is higher	No Benchmark	Not Reported
4	Percentage of Students with Disabilities in General Education Setting More than 80% of the Time	65%	No Benchmark	Not Reported
4	Percentage of Students with Disabilities in General Education Setting Less than 20% of the Time	17.6%	No Benchmark	Not Reported

5	Percentage of Students with Disabilities Changing Schools Following CSE Recommendation	1%	No Benchmark	Not Reported
6	Percentage of Students with Disabilities with Legally-Compliant Transition Plans	95.3%	87.3%	100%
7	Percentage of Overdue Initial, Annual, and Reevaluation Review CSE Meetings	5%	10%	8.66%
8	Number of Variances by Commissioner Approval Due to Lack of Capacity	2	5	0
8	Percentage of Related Service Providers Reporting Services in Frontline	87%	83%	95%
9	Percentage of Annual Review CSE Meetings with Parent Participation	51%	43%	51%
10	Number of Special Education Bilingual Programs	51	39	49
11	Number of Special Education Teachers in Classrooms Who Are Not Special Education Certified in New York State	21	26	21
12	Racial Disparity Index of Newly-Classified African American/Black and Hispanic Students with Disabilities versus White Students with Disabilities	1.0	1.05	0.98
13	Number of Mandatory Professional Development Trainings Required of Special Education Staff	8	5	14
14	Final Goal(s) and Benchmark(s) Relating to Bilingual Special Education Strategic Plan	Negotiations Ongoing	Negotiations Ongoing	Not Reported

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
2020-21 SWD ELA Assessment Results – Percent of Proficient-Level Scores				Data Under Embargo		
Percentage of SWD with Proficient-Level Math Scores	2%	3%	Not reported – no testing	No Benchmark	To Be Negotiated	To Be Negotiated
2020-21 SWD Mathematics Assessment Results – Percent of Proficient-Level Scores				Data Under Embargo		

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.

Goal 1 Benchmark Analysis (2020-21 School Year – Annual Report)

What actions has the District taken to achieve the benchmark?

Not applicable. While the data is reported pursuant to FN2, the data is not being used by the USDOE or NYSED for accountability purposes for the 2020-21 school year. Due to the effects of the COVID-19 pandemic, there is no binding Goal/Benchmark for the 2020-21 school year. Additionally, as of October 29, 2021, the test results are under embargo by NYSED. Results will be provided when New York State lifts the data embargo.

Did the District meet the benchmark?

Not applicable. While the data is reported pursuant to FN2, the data is not being used by the USDOE or NYSED for accountability purposes for the 2020-21 school year. Due to the effects of the COVID-19 pandemic, there is no binding Goal/Benchmark for the 2020-21 school year. Additionally, as of October 29, 2021, the test results are under embargo by NYSED. Results will be provided when New York State lifts the data embargo.

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

The District will continue to work with staff from the Office of Special Education Quality Assurance's (SEQA) Regional Partnership Center (RPC) to address literacy skills for our students. The District will encourage collaboration between the RPC Literacy Coaches with our Special Education Literacy coaches along with our Director of ELA to bridge the gap between Special Education and our Office of Teaching and Learning. Training for Special Education teachers on specially designed instruction ("SDI") and literacy instruction will continue to be provided, along with ELA and Math curriculum training. In addition, Special Education will continue to work with Office of Teaching and Learning to evaluate and determine evidence based interventions for all students that struggle with reading and math skills. The District is also working to strengthen the MTSS/RtI process for all school buildings. The District will continue to strengthen the skill set of teachers using high quality curriculum. The District will provide coaching and support in the classroom for pedagogy aligning with the curriculum. The District will offer Professional Development ("PD") for special education teachers and related service providers on IEP goal alignment with students' current levels of performance on the ELA/Math curriculum. Additional support will continue to be provided by the RPC.

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%
2020-21 SWD Graduation Rate – Percent of SWD Graduating in June 2021				Data Under Embargo	

Goal 2 Benchmark Analysis (2020-21 School Year – Annual Report)

What actions has the District taken to achieve the benchmark?

Not applicable. While the data is reported pursuant to FN4, the data is not being used by the USDOE or NYSED for accountability purposes for the 2020-21 school year. Due to the effects of the COVID-19 pandemic, there is no binding Goal/Benchmark for the 2020-21 school year. Additionally, as of October 29, 2021, the test results are under embargo by NYSED. Results will be provided when New York State lifts the data embargo.

Did the District meet the benchmark?

Not applicable. While the data is reported pursuant to FN4, the data is not being used by the USDOE or NYSED for accountability purposes for the 2020-21 school year. Due to the effects of the COVID-19 pandemic, there is no binding Goal/Benchmark for the 2020-21 school year. Additionally, as of October 29, 2021, the test results are under embargo by NYSED. Results will be provided when New York State lifts the data embargo.

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

Grade recovery intervention options and transcript reviews will continue to be available to students in Grades 9-12. A strong MTSS/Rtl system is being elevated across the District. PD for special education teachers on SDI will be available. The District will continue SDI support for special education teachers.

³ The 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.

⁴ The 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		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	2%
2020-21 SWD LTS Rate – Percent of SWD Subject to LTS				Not Reported	
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	1.0 or the standard deviation for the LTS Rate as calculated by New York State ⁶ , whichever is higher.
2020-21 SWD LTS Rate – Percent of SWD Subject to LTS				Not Reported	

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.

⁶ 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%.

Goal 3 Benchmark Analysis (2020-21 School Year – Annual Report)

What actions has the District taken to achieve the benchmark?

Not applicable.

Did the District meet the benchmark?

Not applicable.

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

The District will offer PD on Functional Behavior Assessments (FBA) and Behavior Intervention Plans (BIP) for school administrators, special education and general education teachers. PD on classroom management systems will also be offered. The District will review building level support plans prior to determining the need for a FBA/BIP. This includes a revised process for the Determination of Evaluations Need process prior to initial and reevaluation requirements. Ongoing Restorative Practice training is also a goal of the District. The District has revised the Manifestation Determination protocol and have provided Part 201 training to all building Principals and Assistant Principals.

REPORT CONTINUES ON FOLLOWING PAGE

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 ⁷	65%
2020-21 LRE Rate – Percent of SWD in General Education Setting More than 80%				Not Reported	
In Gen. Ed. setting less than 40%	23.6%	22.1%	20.6%	Dependent on school reopening	17.6%
2020-21 LRE Rate – Percent of SWD in General Education Setting Less than 80%				Not Reported	

⁷ 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 4 Benchmark Analysis (2020-21 School Year – Annual Report)

What actions has the District taken to achieve the benchmark?

Not applicable.

Did the District meet the benchmark?

Not applicable.

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

Training by the Regional Partnership Center and Special Education Quality Assurance (SEQA) Regional Associates is being provided to a select group of our CSE Chairpersons. Ongoing feedback is provided to the administrative team which will lead to revisions in process/procedures and professional development/coaching.

Least Restrictive Environment Procedural Checklist was developed and used by Associate Directors and is now embedded in CSE meetings and is available as a resource to use in LRE discussions. The District will form workgroups, offer PD trainings and hold compliance meetings on determining LRE.

The District will review 8:1:2, 15:1 and 12:1:1 programs to determine if LRE is appropriate to meet the needs of these populations.

The District will utilize Tier 1, 2, 3 evidence-based interventions for pre-referral strategies and for currently classified students.

REPORT CONTINUES ON FOLLOWING PAGE

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%⁸ 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		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 ⁹	1%
2020-21 Percent of SWD Changing Schools Following CSE Recommendation				Not Reported	

⁸District 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.

⁹If 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 5 Benchmark Analysis (2020-21 School Year – Annual Report)

What actions has the District taken to achieve the benchmark?

Not applicable.

Did the District meet the benchmark?

Not applicable.

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

During the 2020-21 School Year, the District expanded its continuum to reduce student movement. The District will identify additional supports and services for students that could assist the educational team in supporting the student in their current school, when a request is made for more restrictive programming. The District will continue to evaluate the continuum of services across the District based on student data by school. The District has developed a “seat tracker” to monitor student placement and the continuum of services. The District will offer PD to school building leadership on the social-emotional and academic impact of more restrictive program recommendations.

REPORT CONTINUES ON FOLLOWING PAGE

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		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%	95.3%
2020-21 SWD Transition Plans – Percent of SWD with Legally-Compliant Transition Plans				100%	

Goal 6 Benchmark Analysis (2020-21 School Year – Annual Report)

What actions has the District taken to achieve the benchmark?

The District has offered PD on quality indicators of IEP Transition plans with the support of our Regional Partnership Center. The District has conducted IEP pulls to check for compliance by our transition team – with necessary corrections made following these reviews.

In March 2021, the District completed the NYSED 2020-21 Indicator 13 review. The review was completed with support from the transition coordinator of the RPC. Along with the RPC transition coordinator the District has reported 100% compliance for Indicator 13. NYSED congratulated the District on its 100% compliance in the Indicator 13 review.

Did the District meet the benchmark?

Yes. NYSED verified that the District’s Indicator 13 Transition Plan Review was 100% in compliance with State Requirements.

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

The District will continue to improve on its transition plan offerings and self-reviews. The District will offer PD on the impact of Level 1 assessments in the development of the IEP.

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		Final Goal (Disengagement Standard)
School Year	2017-2018	2018-2019	2019-2020 ¹⁰	2020-2021	2021-2022
Percentage of Overdue Meetings	28%	15%	16%	10%	5%
2020-21 Percent of Overdue Initial, Annual, and Reevaluation Review Meetings				8.66%	

Goal 7 Benchmark Analysis (2020-21 School Year – Annual Report)

What actions has the District taken to achieve the benchmark?

The District has developed, and adhered to, a compliance log for each student that the CSE chair monitors. The District has held 1:1 meetings between Directors and Associate Directors (CSE Chairpersons) to check on compliant practices and quality IEPs. Ongoing PD on quality IEPs has been offered by the Regional Partnership Center, Directors and Associate Director for Special Education Compliance. The District’s Frontline Team provides updates every week on number of meetings completed.

Did the District meet the benchmark?

Yes. The District’s Q3 report indicated that there were 8.45% overdue meetings. The Q4 report indicated that there were 8.87% overdue meetings. The average of the quarters yielded an overdue meeting percentage of 8.66%.

¹⁰Due 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.

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

The District will continue to develop specific guidelines on scheduling and meeting deadlines for meetings. The District will continue to use the compliance log for each building. The District will provide ongoing PD on quality IEP writing. The District's Frontline Team will continue to run and provide updates on data reports from Frontline.

REPORT CONTINUES ON FOLLOWING PAGE

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		Final Goal (Disengagement Standard)
School Year	2017-2018	2018-2019	2019-2020 ¹¹	2020-2021	2021-2022
Number of Variances by Commissioner Approval Due to Lack of Capacity	41	6	10	5	2
2020-21 Total Number of Variances by Commissioner Approval Due to Lack of Capacity				0	
Percentage of Providers Reporting Services in Frontline	71%	72%	79%	83%	87%
2020-21 Percentage of Providers Reporting Services in Frontline				95%	

Goal 8 Benchmark Analysis (2020-21 School Year – Annual Report)

What actions has the District taken to achieve the benchmark?

Variances:

The District expanded its continuum to help students remain in their schools whenever possible. Special Education and Placement is holding seats through our registrars for SWD in programs. The District is using trendline data to make projections for enrollment, resulting in more available seats in programs. The District is also using a Seat Tracker spreadsheet for students in Special Education programming.

¹¹ 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.

Frontline Reporting:

The District's Medicaid Department is working with the Departments of Special Education (SPED) and Human Capital to address related service providers documenting IEP related services in the Frontline RS Log. Medicaid has designed reporting with the input of special education to assist the Special Education Administrators and Department Leads to identify compliance issues. Special Education and Medicaid are work together as a team in confirming potential compliance issues. The data helps identify and confirm SPED IEP related service attendance issues. Compliance issues reviewed are as follows:

- All IEP service must be documented in the related service log of Frontline IEP
- IEP service and session notes must be entered within 2 school days
- All services must be electronically signed and include session notes
- Provider's caseload must align with the services attendance entered.

Medicaid will provide Special Education with data on a monthly basis (team meetings). SPED will identify Providers with a compliance issue. SPED will work with Medicaid to confirm data issues or request for additional data to support the compliance issues at hand. Once a compliance issue is confirmed the Special Education Department's Administrative Team and Human Capital will follow accountability protocols in communicating with the related service provider and documenting such communication. For certain Special Education providers, discipline has been issued for failure to report services if they continue to be noncompliant after the counseling process has occurred.

Did the District meet the benchmark?

Yes for Variances. The number of variances by Commissioner Approval was 0 during the 2020-21 school year.

Yes for Frontline Reporting. 95% of Related Services providers timely reported their services in Frontline during the 2020-21 school year.

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

For variances, the District will continue to follow its process set forth above and continue to demonstrate improvement.

For Frontline reporting, the District will continue to collaborate with special education, Medicaid office and HC (Human Capital) to address staff not entering sessions. Accountability measures to be enforced. Medicaid has recommended that, in addition to the above process, Related Service Director and Leads pull random samples on a monthly basis to check for related service provider compliance issues. This will help ensure that the data provided and IEPs are in alignment. The District is in the process of obtaining a new Frontline product, and will be working with Frontline product representatives to determine enhancements which will lead easier date pulls and reimbursement submissions.

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		Final Goal (Disengagement Standard)
School Year	2017-2018	2018-2019	2019-2020 ¹²	2020-2021	2021-2022
Percentage of AR Meetings with Parent Participation	19%	47%	35%	43%	51%
2020-21 Percentage of AR Meetings with Parent Participation				51%	

Goal 9 Benchmark Analysis (2020-21 School Year – Annual Report)

What actions has the District taken to achieve the benchmark?

The District has encouraged all parents to take advantage of appearance options by Zoom and by telephone. The availability and opportunity to have parents participate at CSE meetings via Zoom has increased the parental participation rate. The District has welcomed collaboration and input from the Special Education Parent Advisory Council (“SEPAAC”) to ensure parents are welcome and participating in meetings.

Did the District meet the benchmark?

During the 2020-21 School Year, a total of 6,570 students had meetings coded as AR or Reevaluation/AR. Students sometimes have multiple AR or Reevaluation/AR meetings held in one year. There were 558 students who had multiple AR meetings in 2020-21. The District can only pull data showing the parents, and other parent/guardian-like figures, who attended the most recently-held meeting. To find out whether a parent was present at the 558 earlier meetings, the District would have to look up each individual student’s meeting records to determine if a parent participated. The District does not have the ability to perform such a burdensome hand pull at this time, despite the fact that it is likely that some parents attended the first

¹²Due 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.

meeting, but not the second meeting. Thus, even if a parent appeared at the first meeting, it will appear in our documentation as if the student did not have a parent participate in any AR meeting.

There were 3,348 students who had parents participate at the most recently-held AR or Reevaluation/AR meeting, out of 6,570 meetings. Based on the foregoing, the percentage of parents participating in the most recently-held meeting is 51%.

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

The District will continue to offer parents Zoom or other virtual/remote options, as well as in-person meeting options.

REPORT CONTINUES ON FOLLOWING PAGE

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 ¹³
2020-21 Number of Special Education Bilingual Programs				49	

Goal 10 Benchmark Analysis (2020-21 School Year – Annual Report)

What actions has the District taken to achieve the benchmark?

The District has expanded the continuum for bilingual programs. The District is in the process of identifying ELL students, and their level of service needed in addition to collaborating with the Bilingual Services Department to create special education bilingual programs based on enrollment. The District has also developed a Seat Finder for use by Special Education and Placement when placing students in classrooms.

Did the District meet the benchmark?

Yes. The number of Special Education Bilingual programs offered during the 2020-21 school year was 49.

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

The District will continue to work with the Department of Multilingual Education and the Bilingual Services Department to offer the necessary placements for Bilingual students reflecting our enrollment, utilizing its Seat Finder spreadsheet.

¹³ 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
2020-21 Number of Special Education Teachers Not Certified by NYS in Special Education			21	

Goal 11 Benchmark Analysis (2020-21 School Year – Annual Report)

What actions has the District taken to achieve the benchmark?

The District allocated funds to hire a Director of Recruitment, Retention and Selection to focus on the recruitment of highly qualified Certificated Special Education Teachers. Additionally the district funded financial incentives to assist prospective candidates in obtaining appropriate certifications, and to create pathways to certification by “grow your own” programs. Additionally the District engaged with teacher preparation program partners to connect with teacher candidates.

Did the District meet the benchmark?

Yes. The number of Special Education teachers not certified in Special Education in New York State during the 2020-21 school year (as of BEDS Day on October 7, 2020) was 21.

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

The District is implementing several levers and strategies to recruit and retain staff as a result of COVID-19 to increase recruitment and retention of staff, including bilingual educators. Those interventions and strategies include: a proposed a series of proposals and specific bilingual teacher and special education teacher financial bonus. There are contract negotiations between the District and the Rochester Teachers Association including pay raises and additional compensation increases. The District is engaging in social media promotion, District blasts and paid advertisements on variety of media, rebranding of promotional advertising and Human Capital brand. The District will hold recruitment events throughout the community, including Saturdays at the Public Market, Rochester Works Hospitality Virtual Job Fair, and Roc the Block recruitment event. The District will hold open Interview events scheduled at Central Office and Hudson Transportation Center. The District will receive posting and support from shiftdiff (<https://shiftdiff.com/>). The District will offer bodega advertising throughout city; applications on the go (on the spot applying);

recruitment by principals directly to their families and school community; partnership with local job agencies to promote vacancies; partnership with The Employment Store (TES) to assist with hiring; community plea at recent Board of Education meetings and with local news media to contact district to apply to serve; and contact with colleges and universities to appeal to student teachers and recent graduates. The District will draft a substitute teacher agreement to increase substitutes, offer incentives to returning substitute teachers to retain them, and make outreach to teacher retirees and other recent retirees to serve as substitutes.

REPORT CONTINUES ON FOLLOWING PAGE

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
2020-21 Racial Disparity Index				0.98	

Goal 12 Benchmark Analysis (2020-21 School Year – Annual Report)

What actions has the District taken to achieve the benchmark?

The District has provided PD to building administrators on special education concerns, including the racial disparity index.

Did the District meet the benchmark?

Yes. The Racial Disparity Index for newly-classified African American/Black and Hispanic students with disabilities versus white students with disabilities during the 2020-21 School Year was 0.98. There were 371 Black and Hispanic students newly-classified, out of 601 students evaluated (0.62). There were 62 white students newly-classified, out of 98 students evaluated (0.63), for a RDI of 0.98.

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

The District will continue to collaborate with the Department of Teaching and Learning to provide high quality curriculum to all students. The District will provide ongoing coaching to Committee on Special Education Chairperson’s and building Administrators on factors determining eligibility to ensure pre-referral strategies for all students is provided prior to classification. The District will continue to work with the Multi-Tiered Support System team to assist in the development of evidence-based interventions. The District will continue to provide professional development on functional behavior assessments and behavior intervention plans to building administrators and staff.

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		Final Goal (Disengagement Standard)
School Year	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022
Mandatory PD Trainings	1	2	3	5	8
2020-21 Number of Mandatory Special Education PD Trainings				14	

Goal 13 Benchmark Analysis (2020-21 School Year – Fourth Quarter)

What actions has the District taken to achieve the benchmark?

The District has expanded its training, reorganized how PD is offered, and has begun tracking mandatory training using True North Logic.

Did the District meet the benchmark?

Yes. The number of mandatory Special Education PD trainings during the 2020-21 school year was 14.

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

The District will continue to plan PDs to address special education concerns, practices and policies. We will ensure that all PD are entered into True North Logic.