



Massachusetts Department of Elementary and Secondary Education

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September 27, 2011

Dr. Paul B. Ash, Superintendent
Lexington Public Schools
146 Maple Street
Lexington, MA 02420

Re: Mid-cycle Report

Dear Superintendent Ash:

Enclosed is the Department of Elementary and Secondary Education's Mid-cycle Report based on the onsite visit conducted in your district on April 27, 2011. During the Mid-Cycle Review the Department monitored selected special education criteria to determine your district's compliance with special education laws and regulations. The review consisted of information gathered from one or more of the following activities: interviews, review of student records, examination of documentation, and classroom observation(s).

The Department determined that one or more of the criteria monitored in your district was "Partially Implemented" or "Not Implemented." In all instances where noncompliance was found, the Department has prescribed corrective action for the district. This corrective action must be implemented as soon as possible, but in no case later than a year from the date of this report. You will find these requirements for corrective action included in the enclosed report, along with requirements for submitting progress reports using the enclosed form.

Please provide the Department with your written assurance that all of the required corrective action will be implemented by your district within the timelines specified in the report. You must submit your statement of assurance to Darlene Lynch, Director, Program Quality Assurance Services, by October 14, 2011.

Your staff's cooperation throughout this Mid-cycle Review is appreciated. If you have questions about this letter or the enclosed report, please do not hesitate to contact Jane Ewing at 781-338-3741.

Sincerely,

Jane L. Ewing, Mid-cycle Review Chairperson
Program Quality Assurance Services

Darlene A. Lynch, Director
Program Quality Assurance Services

cc: Mitchell D. Chester, Ed.D., Commissioner of Elementary and Secondary
Education
Dean Paolillo, Supervisor, Program Quality Assurance Services
Mary Ann Stewart, Lexington Public Schools School Committee Chairperson
Linda Chase, Local Program Review Coordinator

Encs: Mid-cycle Report
Mid-cycle Progress Report Form

**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
MID-CYCLE REPORT**

LEXINGTON PUBLIC SCHOOLS

Dates of the Mid-cycle Review Onsite: April 27, 2011

Date of this Report: September 27, 2011

PLEASE NOTE THAT THIS REPORT IS IN TWO SECTIONS.

Required Special Education Criteria Monitored in this Mid-cycle Review

Current special education criteria available by scrolling down to the special education instrument at

<http://www.doe.mass.edu/pqa/review/cpr/default.html>

Criterion	Criterion Implemented ✓	Criterion Partially Implemented (PI) or Not Implemented (NI)	Method(s) of Investigation	Basis of Determination about Criterion	<i>If Partially Implemented or Not Implemented:</i> (a) Required Corrective Action and Timelines for Implementation	(b) Progress Report Due Date(s) and Required Elements
SE 7 Transfer of parental rights at age of majority and student participation and consent at the age of majority	✓		Student Record Review Interviews	Record review and interviews demonstrated that one year prior to the student reaching age 18, the district informs the student and the parent/guardian of the rights that will transfer from the parent/guardian to the student upon the student's 18th birthday.		

Criterion	Criterion Implemented ✓	Criterion Partially Implemented (PI) or Not Implemented (NI)	Method(s) of Investigation	Basis of Determination about Criterion	<i>If Partially Implemented or Not Implemented:</i> (a) Required Corrective Action and Timelines for Implementation	(b) Progress Report Due Date(s) and Required Elements
				The district documents the student's choice and includes the documentation in the student record.		
SE 52A Registration of educational interpreters	✓		Interviews	The district uses only interpreters registered with the Massachusetts Commission for the Deaf and Hard of Hearing for students in need of educational interpretative services.		

Additional Special Education Criteria Monitored in this Mid-cycle Review

*Current special education criteria available by scrolling down to the special education instrument at
<http://www.doe.mass.edu/pqa/review/cpr/default.html>*

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SE 3 Special requirements for determination of specific learning disability		PI	Student Record Review Interviews	According to the student record review, Specific Learning Disability (SLD) documentation is not consistently completed with IEP Team signatures.	<p>Please provide training to IEP Team chairpersons on the SLD documentation requirements.</p> <p>Please develop an internal tracking and oversight system to ensure that required SLD documentation forms are appropriately completed for students suspected of having a specific learning disability.</p> <p>Please conduct internal monitoring of student records to ensure the SLD documentation is complete. Please ensure that the records selected for review are sampled for those students evaluated for SLD subsequent to the district's implementation of all corrective action activities.</p> <p>*Please note that when</p>	<p>Provide evidence of training to include an agenda, materials and sign-in sheets (with staff names and roles). Please provide this progress report by November 14, 2011.</p> <p>Provide a description of the internal tracking system and indicate the person(s) responsible by November 14, 2011.</p>

Criterion	Criterion Implemented ✓	Criterion Partially Implemented (PI) or Not Implemented (NI)	Method(s) of Investigation	Basis of Determination about Criterion	<i>If Partially Implemented or Not Implemented:</i> (a) Required Corrective Action and Timelines for Implementation	(b) Progress Report Due Date(s) and Required Elements
					conducting internal monitoring the district must maintain the following documentation and make it available to the Department upon request: a) List of student names and grade level for the record review; b) Date of the review; c) Name of person(s) who conducted the review, their roles(s), and their signature(s).	Please submit a report of the results of the internal monitoring. Please include the following: 1) The number of records reviewed; 2) The number of records in compliance; 3) For all records not in compliance with this criterion, determine the root cause of noncompliance and identify the district plan to remedy the noncompliance. Please submit these results by February 3, 2012.

Criterion	Criterion Implemented ✓	Criterion Partially Implemented (PI) or Not Implemented (NI)	Method(s) of Investigation	Basis of Determination about Criterion	<i>If Partially Implemented or Not Implemented:</i> (a) Required Corrective Action and Timelines for Implementation	(b) Progress Report Due Date(s) and Required Elements
SE 4 Assessment reports		PI	Student Record Review	<p>Assessment reports did not consistently contain recommendations for meeting students' educational needs.</p> <p>Additionally, the Educational Assessment A forms did not consistently include previous schooling history.</p>	<p>Please provide training for staff responsible for gathering this information on the content requirements for the completion of assessments (i.e., addressing all elements of the Educational Assessment A form and ensuring the inclusion of the evaluator's recommendations for all evaluations).</p> <p>Develop an internal tracking system with oversight to ensure that all of the components of the required education assessments are completed and that all assessment reports contain recommendations.</p> <p>Provide training to staff responsible for the implementation of the internal oversight and tracking system.</p> <p>Please conduct internal monitoring of student records. Please select a sample of student records comprised of initial and reevaluations to ensure that all components of the required education assessment were</p>	<p>Provide evidence of training to include an agenda, materials and sign-in sheets (with staff names and roles). This progress report is due by November 14, 2011</p> <p>Provide a description of the newly developed internal tracking system and indicate the person(s) responsible for it by November 14, 2011.</p> <p>Please submit a report of the results of the internal monitoring. Please include the following:</p>

Criterion	Criterion Implemented ✓	Criterion Partially Implemented (PI) or Not Implemented (NI)	Method(s) of Investigation	Basis of Determination about Criterion	<i>If Partially Implemented or Not Implemented:</i> (a) Required Corrective Action and Timelines for Implementation	(b) Progress Report Due Date(s) and Required Elements
					<p>completed and all assessment reports contained recommendations.</p> <p>Please ensure that the records selected for review are for evaluations or re-evaluations completed after the district has implemented its corrective action activities.</p> <p>*Please note that when conducting internal monitoring the district must maintain the following documentation and make it available to the Department upon request: a) List of student names and grade level for the record review; b) Date of the review; c) Name of person(s) who conducted the review, their roles(s), and their signature(s).</p>	<p>1) The number of records reviewed; 2) The number of records in compliance; 3) For all records not in compliance with this criterion, determine the root cause of noncompliance and identify the district plan to remedy the noncompliance. Please submit these results by February 3, 2012.</p>
SE 6 Determination of transition services	✓		<p>Student Record Review</p> <p>Interviews</p>	The student record review demonstrated that for students aged 14+; IEP Teams consistently develop transition plans and annually review them.		

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SE 8 IEP Team composition and attendance		PI	Student Record Review Interviews	The student record review demonstrated that at the high school, parents are asked to waive their right to have a required IEP Team member attend a meeting, rather than excuse the member in advance and obtain the IEP Team member's input in writing, when such input is essential to the development of the IEP.	<p>Develop a process and internal oversight system to ensure that 1) parents are notified and agree in writing in advance to excuse required Team members; 2) excused required IEP Team members provide written input for IEP development. IEP Team excusals must be documented in the student record.</p> <p>Please provide training to high school special education staff members that fulfill the role of IEP Team chairpersons on the requirements for the excusal of a required IEP Team participant and the oversight system.</p> <p>Please conduct internal monitoring of high school student records. Please ensure that the records selected for review are sampled from records with events completed after the district implemented its corrective action activities.</p> <p>*Please note that when conducting internal monitoring the district must maintain the</p>	<p>Provide evidence of training for high school staff. Include agenda(s), materials and sign-in sheets (with staff names and roles) by November 14, 2011.</p> <p>Provide a description of the IEP Team excusal process and internal tracking system and indicate the person(s) responsible by November 14, 2011.</p> <p>Please submit a report of the results of the internal monitoring conducted. Please</p>

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					following documentation and make it available to the Department upon request: a) List of student names and grade level for the record review; b) Date of the review; c) Name of person(s) who conducted the review, their roles(s), and their signature(s).	include the following: 1) The number of records reviewed; 2) The number of records in compliance; 3) For all records not in compliance with this criterion, determine the root cause of noncompliance and identify the district plan to remedy the noncompliance. Please submit these results by February 3, 2012.
SE 9 Timeline for determination of eligibility	✓		Student Record Review	The student record review demonstrated that initial and re-evaluation IEP Team meetings are consistently held within 45 days of receipt of parental consent.		

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SE 9A Elements of the eligibility determination		PI	Student Record Review	Please see SE 3 concerning SLD documentation.	Please see SE 3.	Please see SE 3.
SE 13 Progress reports and content	✓		Student Record Review	The student record review demonstrated that progress reports are consistently provided to parents at the same time as report cards; copies were consistently in student records and appropriately addressed student progress toward meeting IEP goals.		
SE 14 Review and revision of IEPs		PI	Student Record Review Interview	According to student records, IEP teams do not consistently convene annual reviews on or before the anniversary date of IEPs, even after discounting snow days. Interviews indicated that the district attributes the delay in holding annual reviews to parent scheduling changes. However, meeting notices did not consistently reflect the reasons why annual meetings were not held on or before the anniversary date of the IEP.	Develop a process and internal oversight system to ensure that IEP Teams convene annual reviews on or before the current IEP's anniversary date. Please conduct a root cause analysis of the cause of meeting delays to determine if parent scheduling or other factors are responsible for delays in convening annual reviews across all levels of the district. If annual reviews are postponed because of parent scheduling or weather, the reason for postponing the annual	Provide the outcomes of the district's root cause analysis, the actions taken to address the identified cause(s) of noncompliance and associated timelines. Also provide a description of the internal tracking

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				However, record review demonstrated that the district has discontinued the practice of amending the IEP to extend the document's anniversary date.	<p>meeting must be clearly documented in the student record.</p> <p>Please provide training to special education staff responsible for scheduling Team meetings on the newly developed procedure and oversight system and on documenting schedule changes because of parents needs in the student record</p> <p>Please conduct internal monitoring of student records for the timeliness of annual reviews. Please ensure that the records selected are sampled from records of annual reviews due after the district implements its corrective actions.</p> <p>*Please note that when conducting internal monitoring the district must maintain the following documentation and make it available to the Department upon request: a) List of student names and grade level for the record review; b) Date of the review; c) Name of person(s) who conducted the review, their roles(s), and their signature(s).</p>	<p>system and indicate the person(s) responsible by November 14, 2011.</p> <p>Provide evidence of training to include agenda(s), materials and sign-in sheets (with staff names and roles) by November 14, 2011.</p> <p>Please submit a report of the results of the internal monitoring. Please include the following:</p> <p>1) The number of records reviewed; 2) The number of records in compliance;</p>

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						3) For all records not in compliance with this criterion, determine the root cause of noncompliance and identify the district plan to remedy the noncompliance. Please submit these results by February 3, 2012.
SE 18A IEP development and content		PI	Student Record Review	Student record review demonstrated that IEP Teams do not consistently fill out the Present Level of Educational Performance B (PLEP B), often indicating "See PLEP A." The PLEP B addresses other relevant areas of educational need, such as social-emotional, language needs, assistive technology, and transition.	<p>Please provide training to all IEP Team chairpersons on the requirements to complete the PLEP B portion of the IEP.</p> <p>Please develop a process and internal oversight system to ensure that the PLEP B component of the IEP is completed.</p> <p>The district must conduct an internal review of records to ensure the PLEP-B is completed. Please ensure that only records with Team</p>	<p>Provide evidence of training to include the agenda, materials and sign-in sheets (with staff names and roles) as evidence that training has been conducted by November 14, 2011.</p> <p>Provide a</p>

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					<p>meetings convened <u>after</u> the district's implementation of all corrective actions are chosen for internal monitoring.</p> <p>*Please note that when conducting internal monitoring the district must maintain the following documentation and make it available to the Department upon request: a) List of student names and grade level for the record review; b) Date of the review; c) Name of person(s) who conducted the review, their roles(s), and their signature(s).</p>	<p>description of the newly developed process and internal tracking system and indicate person(s) responsible by November 14, 2011.</p> <p>Please submit a report of the results of the internal monitoring to include the following:</p> <p>1) The number of records reviewed; 2) The number of records in compliance; 3) For all records not in compliance with this criterion, determine the root cause of noncompliance and identify the</p>

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						district plan to remedy the noncompliance. Please submit these results by February 3, 2012.
SE 19 Extended evaluations		PI	Student Record Review	<p>The student record review demonstrates that IEP Teams use 45 days, rather than eight school weeks for the extended evaluation period and do not consistently complete the evaluations and reconvene Teams within the regulatory timeline.</p> <p>However, according to record review, the district's IEP Teams are using the appropriate extended evaluation forms and clearly understand the purpose of an extended evaluation.</p>	<p>Please revise the district's policy to ensure extended evaluations do not exceed eight school weeks. Please provide training to all special education staff responsible for chairing IEP Team meetings on the change in policy and oversight system.</p> <p>Develop a process and internal oversight and tracking system to ensure extended evaluations are completed within eight school weeks from the date of consent.</p> <p>The district must conduct an internal review of records to ensure extended evaluations do not exceed timelines. Please select only records with extended evaluations conducted after the district's implementation of all corrective actions for internal monitoring of</p>	<p>Please provide the revised policy for extended evaluations by November 14, 2011.</p> <p>Provide evidence of training for staff. Include agenda and sign-in sheets as evidence that training has been conducted by November 14, 2011.</p> <p>Provide a description of the internal tracking system Please indicate person(s)</p>

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					<p>district compliance.</p> <p>*Please note that when conducting internal monitoring the district must maintain the following documentation and make it available to the Department upon request: a) List of student names and grade level for the record review; b) Date of the review; c) Name of person(s) who conducted the review, their roles(s), and their signature(s).</p>	<p>responsible for oversight by November 14, 2011.</p> <p>Please submit a report of the results of the internal monitoring to include the following:</p> <ol style="list-style-type: none"> 1) The total number of records reviewed; 2) The number of records in compliance; 3) For all records not in compliance with this criterion, determine the root cause of noncompliance and identify the district plan to remedy the noncompliance. Please submit these results by

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						February 3, 2012.
SE 20 Least restrictive program selected	✓		Student Record Review	According to the student record review, non-participation justification statements appropriately documented the IEP Team's reason for removing students from the general education classroom for services.		
SE 24 Notice to parents	✓		Student Record Review Interviews	According to record review and interviews, parents are sent consent to evaluate forms within five days of their request. According to interviews, previous practices such as requiring parents to meet with staff members (middle school) and requiring a request in writing (elementary schools) before sending the consent form have been discontinued.		
SE 25 Parental consent		PI	Student Record Review Interviews	The student record review demonstrated that the district conducts home assessments (or developmental histories) without obtaining consent.	Please ensure that special education Team Chairpersons are aware that parental consent must be obtained before initiating any evaluation.	Provide evidence of staff training. Include agenda and sign-in sheets as evidence that

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				At Estabrook Elementary School, the district's consent to evaluate form stated the student would be assessed with a "special education" assessment. The designation of "special education" assessment is common practice at the Estabrook School.	<p>Develop a process and internal oversight systems to ensure that consent to evaluate forms list the categories of assessment appropriately rather than using generalizations such as <i>special education assessment</i> and parental consent is obtained before initiating an evaluation.</p> <p>Please provide training to special education Team Chairpersons on the newly developed procedures and oversight system.</p> <p>Please conduct internal monitoring of student records to ensure that consent forms list the categories of assessment appropriately and parental consent is obtained before initiating an evaluation. Please ensure that the records selected are for assessments conducted subsequent to the district's implementation of all corrective actions to determine if the district's consent to evaluate forms</p> <p>*Please note that when conducting internal monitoring</p>	<p>the district completed the training. This progress report is due by November 14, 2011.</p> <p>Provide a description of the newly developed process and internal tracking system Please indicate person(s) responsible by November 14, 2011.</p> <p>Please submit a report of the results of the internal monitoring to include the following:</p> <p>1) The number of records reviewed; 2) The number of records in</p>

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					the district must maintain the following documentation and make it available to the Department upon request: a) List of student names and grade level for the record review; b) Date of the review; c) Name of person(s) who conducted the review, their roles(s), and their signature(s).	compliance; 3) For all records not in compliance with this criterion, determine the root cause of noncompliance and identify the district plan to remedy the noncompliance. Please submit these results by February 3, 2012.
SE 34 Continuum of alternative services and placements	✓		Student Record Review Interviews	The district addressed its continuum issue for students with developmental delays at the high school level by partnering with the local collaborative.		
SE 35 Assistive technology	✓		Interviews	The district employed a full-time Assistive Technology specialist; an Augmentative Communications expert is available biweekly for consultation with special education staff.		

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SE 37 Procedures for approved and unapproved out-of-district placements	✓		Student Record Review Interviews	The student record review confirmed that monitoring plans are kept in student records.		
SE 39A Procedures used to provide services to eligible students enrolled in private schools at private expense	✓		Student Record Review Interviews	The district increased its monitoring of students eligible for services who are attending private schools at parental expense; students are no longer limited to receiving services within the district only.		
SE 44 Procedure for recording suspensions	✓		Interviews	According to interviews, the district maintains a record of in-school suspensions for students with disabilities and counts in-school suspensions in conjunction with out-of-school suspensions.		
SE 53 Use of paraprofessionals	✓		Interviews Document Review	According to interviews with district administration, paraprofessionals now receive 13 hours of professional development in areas targeted to support their work with special education staff and students.		

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SE 55 Special education facilities and classrooms	✓		Facilities Review Interviews	<p>The following corrective actions were noted during LPS' facilities walk-through:</p> <ol style="list-style-type: none"> 1. At the Bridge Elementary School, occupational therapists now have a separate room to provide services; there was no evidence of labeling signage on classrooms or related service rooms. 2. At the Harrington Elementary School, handicapped-accessible button plates for entrances are within reach of a seated individual. 3. At the Fiske Elementary School, computers and lap tops are available to students and staff in every classroom, including for students in the Intensive Learning Program. 4. At Lexington High School, all elevators are in working order. 		

**MASSACHUSETTS DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
MID-CYCLE REVIEW**

LEXINGTON PUBLIC SCHOOLS

M I D - C Y C L E P R O G R E S S R E P O R T

Date Prepared: _____

Prepared by: _____
(name and title)

Criterion: _____

Topic: _____

For each criterion for which you prepare a progress report, please

- **make a copy of this cover page,**
- **fill in the information requested above, and**
- **attach a complete description of the corrective action taken and any accompanying documentation.**

(Description of corrective action for each criterion and any accompanying documentation should include all of the "Progress Report Required Elements" for that criterion in the Mid-cycle Report.)

**Send the whole set of completed progress reports to:
Darlene Lynch, Director
Program Quality Assurance Services
Massachusetts Department of Elementary and Secondary Education
75 Pleasant Street
Malden, MA 02148-4906**