



STATE OF NEW JERSEY  
**DEPARTMENT OF EDUCATION**

A Memo from the New Jersey Department of Education

Date: February 2, 2022  
To: Chief School Administrators, Charter School and Renaissance School Project Leads  
From: Kathy Ehling, Assistant Commissioner  
Division of Educational Services  
Deadline: April 1, 2022

### **Dynamic Learning Maps (DLM) Justification to Exceed the One Percent Cap**

The *Every Student Succeeds Act (ESSA)* allows for the use of alternate assessments, based on alternate achievement standards for students with the most significant cognitive disabilities. In New Jersey, this alternate assessment is the Dynamic Learning Maps (DLM).

The *ESSA* requires that no more than one percent (1%) of the total number of tested students participate in the DLM assessment. **School districts are not prohibited from assessing more than one percent (1%) of their tested students with the DLM; however, they are required to submit information justifying the need to exceed the one percent (1%) limit.**

Under direction from the United States Department of Education (USED), New Jersey is required to conduct activities, statewide and in selected districts with high DLM participation rates, to ensure that only those students who meet [DLM participation criteria](#) participate in the assessment. These activities will assist district IEP teams in making individualized decisions, based on multiple sources of student data, regarding student participation in statewide assessments. Please visit the [DLM website](#) for more information on the DLM assessment and participation criteria.

The USED allows for individual school districts with more than one percent (1%) of their tested students taking the DLM to do so with justification. If you anticipate that participation in the DLM assessment in your district will exceed one percent (1%) for the 2021-2022 school year, you must submit a [justification form](#) for review. Guidelines for calculating the DLM participation rate can be found on the form. It is important to include students placed in separate public programs in other school districts or approved private schools for students with disabilities (APSSDs) in these calculations. Justification forms should be submitted by email to [amanda.philp@doe.nj.gov](mailto:amanda.philp@doe.nj.gov) by **April 1, 2022**. Your participation in this process will enable the NJDOE to ensure that we have the most accurate representation of the results of students with the most significant disabilities in the accountability system.

If you or your staff have any questions or need assistance, contact Amanda Philp at [amanda.philp@doe.nj.gov](mailto:amanda.philp@doe.nj.gov).

c: Members, State Board of Education  
Angelica Allen-McMillan, Ed.D., Acting Commissioner  
NJDOE Staff

Statewide Parent Advocacy Network  
Garden State Coalition of Schools  
NJ LEE Group