



STATE OF NEW JERSEY

# DEPARTMENT OF EDUCATION

A Memo from the New Jersey Department of Education

Date: October 26, 2023  
To: Local Educational Agency Leads  
From: Kathy Ehling, Assistant Commissioner  
Division of Educational Services  
Due: February 2, 2024

## **Dynamic Learning Maps (DLM) 1 Percent Justification Form Spring Assessment and Tier 1 Universal Technical Assurances for Exceeding the 1 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 1 percent of the total number of tested students participate in the DLM assessment. Local educational agencies (LEAs) are not prohibited from assessing more than 1 percent of their tested students with the DLM; however, LEAs are required to submit information justifying a need to exceed the 1 percent limit.

Based on direction from the United States Department of Education (USED), New Jersey is required to conduct activities, statewide and in specific LEAs with DLM participation rates, to ensure that only those students who meet [DLM participation criteria](#) participate in the assessment. These activities will assist LEA individual education plan teams in informing decisions, based on multiple sources of student data, regarding student participation in statewide assessments. Please visit the [DLM website](#) and the [New Jersey DLM Resource Library](#) for more information and resources on the DLM assessment and participation criteria.

The USED allows for individual LEAs with more than 1 percent of tested students taking the DLM to do so with justification. If it is anticipated that participation in the **DLM Spring Year End (YE)** assessment in the specific LEA will exceed 1 percent for the 2023-2024 school year, a [justification form](#) needs to be submitted for review, and the LEA must participate in the Tier 1 Universal Technical Assistance support activities. Any LEA that anticipates exceeding 1 percent of student population for the DLM year-end assessment in the 2023-2024 academic year is required to participate in 1) a review of a [pre-recorded webinar](#) training; 2) complete an assessment to affirm content knowledge from the webinar; and, 3) assurance noted on the [1 percent Justification Form](#).

Guidelines for calculating the DLM participation rate can be found on the 1 percent Justification Form. It is important to include students placed in separate public programs in other LEAs or approved private schools for students with disabilities (APSSDs) in these calculations. 1 Percent Justification Forms should be submitted by email to [OSEInfo@doe.nj.gov](mailto:OSEInfo@doe.nj.gov) by February 2, 2024. Participation in this process will enable the NJDOE to ensure the most accurate representation of the results of students with the most significant disabilities in accountability systems.

For questions or assistance, please contact the Office of Special Education [OSEInfo@doe.nj.gov](mailto:OSEInfo@doe.nj.gov).

c: Members, State Board of Education  
Statewide Parent Advocacy Network  
Garden State Coalition of Schools  
NJ LEE Group  
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