STATE OF NEW JERSEY
DEPARTMENT OF EDUCATION

A Memo from the New Jersey Department of Education

Date: November 10, 2026

To: Local Educational Agency Leads, Administrators of Approved Private Schools for Students with Disabilities

Route To: Directors of Special Education

From: Dr. Tiffany Neill, Chief Academic Officer
Division of Academic Services

Deadline: January 29, 2027

Dynamic Learning Maps 1% Cap Justification Form and Technical Assistance

The *Every Student Succeeds Act (ESSA)* permits students with the most significant intellectual disabilities to participate in an alternate assessment aligned to alternate academic achievement standards. In New Jersey, this alternate statewide assessment is the **Dynamic Learning Maps (DLM)**. Under ESSA, the percent of tested students participating in alternate assessments should be limited to 1%. While local education agencies (LEAs) may assess more than 1% of their tested students using the DLM when appropriate, they must provide justification for exceeding this threshold.

Key Steps/Actions
The U.S. Department of Education (USED) permits LEAs to exceed the 1% participation threshold for the Dynamic Learning Maps (DLM) assessment when justified. Any LEA that anticipates exceeding the 1% threshold for the 2026-2027 DLM year-end assessment must complete the Tier 1 Universal Technical Assistance online self-paced training and submit the completed 1% Justification Form **by January 29, 2027**.

The Tier 1 Universal Technical Assistance training includes an overview of key resources, federal and state regulations, participation criteria, and guidance for calculating the DLM participation rate, which is also available in the justification form.

To ensure accurate reporting, LEAs are reminded they must include students placed in separate public programs in other districts and receiving schools, including Approved Private Schools for Students with Disabilities (APSSDs), when calculating participation rates.

As a reminder, students eligible for special education and related services under the eligibility categories of auditory impairment, emotional regulation impairment, orthopedic impairment, specific learning disability and eligible for speech and language services only are **not eligible** to participate in the alternate assessment. These students must be administered the New Jersey

Student Learning Assessment (NJSLA) or New Jersey Graduation Proficiency Assessment (NJGPA), with appropriate accommodations and accessibility features.

Contact Information

For additional information or clarification, please direct questions to the Office of Special Education at (609) 376-9060 or email AAparticipation@doe.nj.gov.