



STATE OF NEW JERSEY  
**DEPARTMENT OF EDUCATION**

A Memo from the New Jersey Department of Education

December 5, 2017

To: Chief School Administrators, Charter School and Renaissance School Project Leads  
Route To: Special Education Points of Contact  
From: Peggy McDonald, Acting Assistant Commissioner  
Division of Learning Supports and Specialized Services  
Deadline: January 5, 2018

### **Feedback Sought on *Every Student Succeeds Act (ESSA)* Waiver Request**

The New Jersey Department of Education (NJDOE) is seeking public feedback on a [waiver request](#) it intends to submit to the United States Department of Education (USDOE) regarding New Jersey's *Every Student Succeeds Act (ESSA)* State Plan. The deadline to submit comments is January 5, 2018.

#### **Background**

On April 3, 2017, the NJDOE submitted its *ESSA* State Plan to the USDOE. One of the requirements under *ESSA* is that no more than 1 percent of New Jersey students with significant cognitive disabilities are administered an alternate assessment in mathematics and language arts. Students must meet [specific criteria](#) in order to participate in the Dynamic Learning Maps (DLM), New Jersey's alternate assessment. Students with significant intellectual disabilities require extensive, individualized, direct instruction and substantial supports to achieve measurable gains. These students are instructed using alternate standards that, while related to the New Jersey Student Learning Standards (NJSLS), are significantly reduced in terms of depth, breadth and complexity.

#### **Waiver Summary**

Through the waiver, the NJDOE is requesting flexibility that would allow the state to exceed the 1 percent cap. Granting of the waiver would advance student academic achievement by ensuring students with significant intellectual disabilities have the best opportunity to demonstrate their knowledge and abilities through assessments that measure their performance related to the alternate standards on which they are instructed.

#### **Stakeholder Feedback**

The NJDOE is asking for your comments regarding the request to exceed the 1-percent cap on students with significant intellectual disabilities who are administered the DLM in order to meet the statewide assessment requirement. Please submit comments to [essa@doe.state.nj.us](mailto:essa@doe.state.nj.us) by **January 5, 2018**. All comments submitted during the comment period will be promptly read, taken into consideration and submitted to the USDOE. Questions may be submitted to the same email address.

c: Members, State Board of Education  
Kimberley Harrington, Commissioner  
NJDOE Staff  
Statewide Parent Advocacy Network  
Garden State Coalition of Schools  
NJ LEE Group  
Administrators of Approved Private Schools for Students with Disabilities