Students with IEPs and New Jersey Statewide Assessments:
Participation Criteria for the Dynamic Learning Maps

1. **Do students with significant intellectual disabilities participate in statewide assessment?**

The Elementary and Secondary Schools Act (ESSA) requires that all students participate in statewide assessment. The regulations allow the use of an alternate assessments, based on alternate achievement standards for students with the most significant intellectual disabilities. In New Jersey, this alternate assessment is the Dynamic Learning Maps (DLM).

2. **What is the Dynamic Learning Maps assessment?**

The Dynamic Learning Maps (DLM) assessment is an alternate state assessment administered to students with the most significant intellectual disabilities. Students in grades 3-8 and 11 who meet specific eligibility criteria, will be administered the DLM assessment for ELA and math instead of the general statewide assessments. Please visit the DLM website for more information on the assessment.

3. **Who decides how a student with an IEP will participate in the statewide assessments?**

The IEP team, which includes the student’s parents, determines whether a student with an IEP will participate in the general assessment with accommodations or the alternate assessment (DLM). Only students with significant intellectual disabilities who meet the participation criteria shall participate in the DLM assessment.

4. **How do IEP teams use the DLM Participation Guidelines?**

In order to participate in the DLM assessment, the student must meet three criteria related to the student’s disability, instructional level and instructional strategies. In addition, the IEP team must certify that factors listed in the participation criteria were not used when determining participation in the DLM. Below are the three criterion and possible sources of evidence to review when making a determination.

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<th>Participation Criterion</th>
<th>Possible Sources of Evidence</th>
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| **Criterion 1**  
The student has a disability that significantly impact intellectual functioning and adaptive behavior. | • Results of most recent child study team evaluations  
• Present Levels of Achievement and Functional Performance (PLAFP) statement in the IEP  
• Teacher observation and informal assessment |
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| **Criterion 2**         | • Results of most recent child study team evaluations  
                          • Present Levels of Achievement and Functional Performance (PLAFP) statement in the IEP  
                          • IEP goals and objectives |
| The student is primarily being instructed (or taught) using the DLM Essential Elements as content standards.  
Goals and instruction listed in the IEP for this student are related to the enrolled grade level NJSLs and DLM Essential Elements, as well as address knowledge and skills that are appropriate and challenging for this student. |
| **Criterion 3**         | • Results of most recent child study team evaluations  
                          • Present Levels of Achievement and Functional Performance (PLAFP) statement in the IEP  
                          • Teacher observation and informal assessment |
| The student:  
a. requires extensive, repeated, individualized instruction and support that is not of a temporary or transient nature,  
*and*  
b. uses substantially adapted materials and individualized methods of accessing information in alternative ways to acquire, maintain, generalize, demonstrate and transfer skills across multiple settings |

5. What *cannot* be considered when determining participation in the DLM?

The following factors cannot be considered when determining if a student with disabilities will participate in the DLM assessment:

- Student’s disability category
- Percent of day in special education
- Academic and related services the student receives
- Instructional setting
- English Language Learner (ELL) status  
  Anticipated disruptive behavior or emotional duress of student during testing
- Poor attendance or extended absences
- Anticipated poor performance on the general education assessment
- Impact of student’s scores on accountability system
- Need for accommodations to participate in the general education assessment
- Administrative decision
6. How many students can participate in the DLM?

The Every Student Succeeds Act (ESSA) requires that no more than 1.0 percent of the total number of students in the state may be administered the DLM. Local Education Agencies (LEAs) are not prohibited from assessing more than 1 percent of their students with the DLM, but they are required to submit information justifying the need to assess more than 1 percent of students.

7. What happens if more than 1 percent of students in my district are taking the DLM?

If you anticipate that participation in the DLM in your LEA will exceed 1.0 percent for the 2018-2019 school year, the district must submit the DLM Justification form that was provided to districts in a February 19, 2019 broadcast memo. Those LEAs exceeding the 1 percent cap for two consecutive years will receive a site visit from staff from the Office of Special Education Policy and Dispute Resolution (SPDR). This visit will consist of a review of all documents and Individualized Education Programs (IEPs) for students determined eligible to participate in the DLM assessment.

8. Who can I contact with questions about the DLM assessment and participation criteria?

If you have questions or need assistance, please contact Kim Murray, NJDOE, (609) 376-9060, Kimberly.murray@doe.nj.gov.

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