

NJDOE OPRA Request W253184

jm < jm@nj21st.com >

OPRA Custodian < opra.custodian@doe.nj.gov >

Tue, 23 Jun 2026 8:14:35 PM -0400

To ""jm@nj21st.com""<jm@nj21st.com>

Mr. Migueis,

Below please find responses to the above referenced request. Attached please find a receipt indicating that your request has been closed.

1. Please provide any records from January 1, 2024 through the date of this request that show or explain: How the adaptive ELA and Math tests work.

This request is overbroad and would require research to determine what records, if any, may be responsive. OPRA does not require custodians to research files to discern which records might be responsive to a request. Custodians have no legal duty to conduct research to locate records responsive to OPRA requests pursuant to the Superior Court's decisions in MAG Entertainment, LLC v. Division of Alcoholic Beverage Control, 375 N.J. Super. 534 (App. Div. 2005), Bent v. Stafford Police Department, 381 N.J. Super. 30 (App. Div. 2005), New Jersey Builders Association v. New Jersey Council of Affordable Housing, 390 N.J. Super. 166 (App. Div. 2007) and the Government Records Council's decision in Schuler v. Borough of Bloomsbury, GRC Complaint No. 2007-151 (March 2008). Accordingly, this request is denied. Please see [New Jersey Student Learning Assessments-Adaptive and New Jersey Graduation Proficiency Assessment-Adaptive](#) and this [webinar](#).

2. Please provide any records from January 1, 2024 through the date of this request that show or explain: How the test chooses which questions a student receives.

This request is overbroad and would require research to determine what records, if any, may be responsive. OPRA does not require custodians to research files to discern which records might be responsive to a request. Custodians have no legal duty to conduct research to locate records responsive to OPRA requests pursuant to the Superior Court's decisions in MAG Entertainment, LLC v. Division of Alcoholic Beverage Control, 375 N.J. Super. 534 (App. Div. 2005), Bent v. Stafford Police Department, 381 N.J. Super. 30 (App. Div. 2005), New Jersey Builders Association v. New Jersey Council of Affordable Housing, 390 N.J. Super. 166 (App. Div. 2007) and the Government Records Council's decision in Schuler v. Borough of Bloomsbury, GRC Complaint No. 2007-151 (March 2008). Accordingly, this request is denied.

3. Please provide any records from January 1, 2024 through the date of this request that show or explain: How student answers are turned into scale scores.

This request is overbroad and would require research to determine what records, if any, may be responsive. OPRA does not require custodians to research files to discern which records might be responsive to a request. Custodians have no legal duty to conduct research to locate records responsive to OPRA requests pursuant to the Superior Court's decisions in MAG Entertainment, LLC v. Division of Alcoholic Beverage Control, 375 N.J. Super. 534 (App. Div. 2005), Bent v. Stafford Police Department, 381 N.J. Super. 30 (App. Div. 2005), New Jersey Builders Association v. New Jersey Council of Affordable Housing, 390 N.J. Super. 166 (App. Div. 2007) and the Government Records Council's decision in Schuler v. Borough of Bloomsbury, GRC Complaint No. 2007-151 (March 2008). Accordingly, this request is denied.

4. Please provide any records from January 1, 2024 through the date of this request that show or explain: How the Department checks whether those scores are accurate or reliable.

This request is overbroad and would require research to determine what records, if any, may be responsive. OPRA does not require custodians to research files to discern which records might be responsive to a request. Custodians have no legal duty to conduct research to locate records responsive to OPRA requests pursuant to the Superior Court's decisions in MAG Entertainment, LLC v. Division of Alcoholic Beverage Control, 375 N.J. Super. 534 (App. Div. 2005), Bent v. Stafford Police Department, 381 N.J. Super. 30 (App. Div. 2005), New Jersey Builders Association v. New Jersey Council of Affordable Housing, 390 N.J. Super. 166 (App. Div. 2007) and the Government Records Council's decision in Schuler v. Borough of Bloomsbury, GRC Complaint No. 2007-151 (March 2008). Accordingly, this request is denied.

5. Any standard errors, confidence intervals, reliability data, or similar score-accuracy information.

The Department of Education does not make or maintain records responsive to your request. Accordingly, the request is denied. Please note, this data is not yet available because it has not yet been calculated.

6. Any studies or reports comparing adaptive test results to prior fixed-form NJSLA test results.

The Department of Education does not make or maintain records responsive to your request. Accordingly, the request is denied.

7. Any records showing whether adaptive test scores can be compared to prior years' test scores.

This request is overbroad and would require research to determine what records, if any, may be responsive. OPRA does not require custodians to research files to discern which records might be responsive to a request. Custodians have no legal duty to conduct research to locate records responsive to OPRA requests pursuant to the Superior Court's decisions in MAG Entertainment, LLC v. Division of Alcoholic Beverage Control, 375 N.J. Super. 534 (App. Div. 2005), Bent v. Stafford Police Department, 381 N.J. Super. 30 (App. Div. 2005), New Jersey Builders Association v.

New Jersey Council of Affordable Housing, 390 N.J. Super. 166 (App. Div. 2007) and the Government Records Council's decision in Schuler v. Borough of Bloomsbury, GRC Complaint No. 2007-151 (March 2008). Accordingly, this request is denied.

8. Any technical reports, validation reports, psychometric reports, statistical reports, field-test analyses, item analyses, bias reviews, sensitivity reviews, standard-setting materials, or post-test review materials related to adaptive testing.

The Department of Education does not make or maintain records responsive to your request for "technical reports, validation reports, psychometric reports, and statistical reports." Accordingly, these parts of your request are denied. Regarding your request for "field-test analyses, item analyses, bias reviews, sensitivity reviews, standard-setting materials, or post-test review materials" please note, draft records are exempt from release under OPRA. Accordingly, these parts of your request are denied.

9. Any records showing whether or how adaptive test results may be used for state or federal accountability purposes, including ESSA.

The Department of Education does not make or maintain records responsive to your request. Accordingly, the request is denied.

10. Any Technical Advisory Committee agendas, minutes, presentations, recommendations, or materials related to adaptive testing, scoring, score accuracy, comparability, reliability, ESSA, or accountability use.

Records responsive to this request are advisory, consultative, and deliberative in nature and are therefore exempt from disclosure pursuant to NJSA 47:1A-1.1. Accordingly, this request is denied.

11. Any records showing where adaptive-testing technical records or project documents are stored, including any secure platform used to house or share those documents.

This request is overbroad and would require research to determine what records, if any, may be responsive. OPRA does not require custodians to research files to discern which records might be responsive to a request. Custodians have no legal duty to conduct research to locate records responsive to OPRA requests pursuant to the Superior Court's decisions in MAG Entertainment, LLC v. Division of Alcoholic Beverage Control, 375 N.J. Super. 534 (App. Div. 2005), Bent v. Stafford Police Department, 381 N.J. Super. 30 (App. Div. 2005), New Jersey Builders Association v. New Jersey Council of Affordable Housing, 390 N.J. Super. 166 (App. Div. 2007) and the Government Records Council's decision in Schuler v. Borough of Bloomsbury, GRC Complaint No. 2007-151 (March 2008). Accordingly, this request is denied.

However, as a courtesy, we are providing you with the technical proposal. Due to the size of the file, which exceeds the Department of Education's email system limitations, the technical proposal is being provided through the MoveIT cloud file sharing system.

Shortly, you should receive an email from MoveIT Cloud with instructions on how to access these records.

If you cannot download the record for any reason, please let me know by replying to this message.

Please note, the contents of the MoveIT Cloud email will expire in 15 days.

For additional information regarding the assessments please see [New Jersey Student Learning Assessments-Adaptive and New Jersey Graduation Proficiency Assessment-Adaptive](#) and this [webinar](#).

Jeannette Larkins
Records Custodian
New Jersey Department of Education
100 Riverview Plaza, Trenton, NJ – 08625
Web: <https://www.nj.gov/education/>

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1 Attachment(s)

Denied and closed 6-23-26 G...

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