SLD TAP #1 – Inadequate Achievement

The state of Washington's special education regulations were expanded to provide additional options for determining Specific Learning Disability (SLD) eligibility in 2007, including those that provide for the use of, "a process based upon a student's response to scientific, research-based interventions (WAC 392-172A-03060)." This fact sheet addresses Criterion 1, inadequate achievement as it relates to determining SLD eligibility.

Table 1. Washington's Four Criteria for SLD Identification (adapted from Kovaleski et al., 2022).

1 Inadequate Achievement		2 Insufficient Progress		3 Rule Out Alternative Primary Factors:		4 Rule out Lack of Appropriate instruction)
Failure to achieve adequately for the child's age or to meet state-approved grade level standard in one or more of the following areas: • Oral expression • Listening comprehension • Written expression • Basic reading skills • Reading fluency skills • Reading comprehension • Mathematics calculation • Mathematics problem solving	**+**	The student does not make sufficient progress to meet age or state grade level standards in one or more of the areas identified in column (1) when using a process based on the student's response to scientific, research-based intervention	**+**	• A visual, hearing, or motor disability; • An intellectual disability; • Emotional/ behavioral disability • Cultural factors; • Environmental or economic disadvantage; or • Limited English proficiency.	**+**	Document: • Instruction was delivered by qualified personnel; • High quality core curriculum designed to meet the instructional needs of all students; and • Repeated assessments of achievement at reasonable intervals were conducted.
Inclusionary				Exclusionary		
+ Observation						
+ Student Needs Specially Designed Instruction						

Historically, low achievement has consistently been discussed as a hallmark symptom of SLD (Kovaleski, VanDerHeyden, & Shapiro, 2013). Therefore, it is fitting that inadequate achievement represents the first inclusionary factor when identifying a SLD through a response to intervention (RTI) framework. However, evidence of unexpected underachievement (e.g., lack of response to instruction), and the consideration of contextual factors have also been viewed as essential to the identification of SLDs (Fletcher, Lyon, Fuchs, & Barnes, 2019). Therefore, inadequate achievement should always be considered in combination with evidence of "Insufficient Progress" (see TAP #2), and exclusionary factors (e.g., ruling out alternative primary factors and lack of appropriate instruction, see TAPs 3 & 4).

In making a determination that a student demonstrates inadequate achievement, data are gathered that specify a student's level of performance, and establishes that the level of achievement is significantly discrepant from what is expected and needed to be successful in a general education setting (Kovaleski, VanDerHeyden, & Shapiro, 2013). When a school team is able to compile evidence of inadequate achievement along with evidence of insufficient progress, and rule out exclusionary contextual factors (e.g., cultural factors, other disabilities, lack of appropriate instruction), there is strong evidence for a SLD.

Washington Administrative Codes (WACs)

The Washington Administrative Codes (WACs) state that the inadequate achievement criterion has been met when there is evidence that, "the student does not achieve adequately for the student's age or meet the state's grade level standards when provided with learning experiences and instruction appropriate for the student's age in one or more of the following areas:
a. Oral expression;
b. Listening comprehension;
c. Written expression;
d. Basic reading skill;
e. Reading fluency skills;
f. Reading comprehension;
g. Mathematics calculation; or
h. Mathematics problem solving (WAC 392-172A-03055)."

Notably, the WAC allows for school teams to make determinations of inadequate achievement based on student performance relative to age- or grade-level expectations (WAC 392-172A-03055).

Compiling Evidence of Inadequate Achievement

Evidence of inadequate achievement can be compiled through a combination of gathering existing student achievement data, and follow-up testing conducted during the assessment process. Strategies for compiling evidence of inadequate achievement using these two methodologies are outlined in the following sections.

Identifying Inadequate Achievement Through Existing Data

In identifying the gap between a student's current performance and age- or grade-level state expectations, multiple sources of data are typically available to an evaluation team. First, data from universal screening or progress monitoring processes should be included (e.g., curriculum-based measures, computer-adapted tests) when available. Second, data from state- and district-wide assessments (e.g., Smarter Balanced Assessment, MAP) should be used, if available. Together, these data may be used to examine students' current levels of proficiency as well as provide insight into past performance.

State and District-wide Assessments

The Every Student Succeeds Act (ESSA; 2015) already requires schools to engage in statewide testing in the areas of mathematics and reading or language arts for students in grades 3-8, and at least one grade level in high school. Many school districts go beyond this requirement by utilizing locally-developed benchmark assessments and/or purchasing commercially available group tests (e.g., Iowa Tests of Basic Skills, TerraNova) to gather achievement data at additional grade levels (Kovaleski et al., 2023). Together, these data can be useful in serving as an initial source of evidence of inadequate achievement, but should be interpreted carefully. As these assessments are often delivered in group form, they are susceptible to the limitations of any tests administered in this fashion (e.g., fluctuations in student effort, etc.). Therefore, assessment results over multiple years (when possible) should be evaluated, as the trends in scores can be useful (Kovaleski, VanDerHeyden, & Shaprio, 2013). For example, a consistent pattern of poor performance on a state assessment over multiple years would reflect low achievement potentially due to an SLD, while a history of adequate achievement and sudden poor performance on the state assessment would not likely be due to an SLD.

Universal Screening and Progress Monitoring Data

Data from universal screening and progress monitoring processes, collected as part of broader multi-tiered systems of supports (MTSS) frameworks, are excellent sources of existing data that can be used by school teams to provide initial evidence of inadequate student achievement. Schools often collect a combination of data from curriculum-based measures (CBMs; e.g., DIBELS, Aimsweb, EasyCBM) and computer-adapted tests (CATs; e.g., FastBridge, STAR, MAP). Tools for universal screening and progress monitoring are available from a number of sources and generally provide data in at least six of the eight areas of SLD (there are no current CBMs that provide technically adequate data in the areas of oral expression or listening comprehension). School teams should utilize the "Academic Screening Tools Chart" from the [National Center on Intensive Intervention](#) to find information on the technical adequacy of assessment tools used in universal screening and progress monitoring processes. It is essential that assessment tools with adequate levels of reliability, criterion validity, and classification accuracy be used in these processes. The "Academic Screening Tools Chart" provides ratings (e.g., convincing evidence, partially convincing evidence, unconvincing evidence) for the levels of

established evidence for the technical features of most commercially available CBM and CAT measures.

Universal screening is conducted three times per school year and is used to identify students that have not reached proficiency in a given academic domain as well as how students as a group are performing in response to instruction (Kovaleski et al., 2023). As with state testing data, trends in students' universal screening data can be used to identify their current standing relative to grade-level expectations and potentially when the difficulties emerged (Kovaleski et al., 2023). Thus, a student repeatedly scoring below benchmark on the universal screener would be demonstrating evidence of inadequate achievement. As another layer of evidence, progress monitoring data collected while students receive interventions at Tiers 2 or 3 can also be used to demonstrate inadequate achievement. Specifically, data from the most recent assessments (e.g., the median of the last three progress monitoring assessments) can serve as strong sources of evidence of inadequate achievement (Kovaleski et al., 2023).

Conducting Follow-Up Assessment

While existing sources of data are useful in providing preliminary evidence of SLDs, follow-up assessment with individual students is necessary. Teams may use curriculum-based assessment (CBA) methods or standardized norm-referenced measures of achievement (related to the area(s) of concern) together or in isolation, to engage in follow-up assessment (Kovaleski et al., 2023).

Curriculum-Based Assessment

Data from CBMs can be used within a broader curriculum-based assessment (CBA) process in order to identify specific academic area(s) of concern (e.g., basic reading vs. reading fluency, or math calculation vs. math problem solving), as well as providing additional information related to the students' instructional level and where their skills fall within the instructional hierarchy (e.g., acquisition, fluency, etc.). This is also referred to as survey-level assessment. Utilizing CBA methods in the problem identification process is essential to ensuring that teams are assessing the appropriate academic achievement domain(s), and that students are receiving targeted instruction in the corresponding area(s) of concern (see TAP #4 for discussion on ruling out inadequate instruction). The table below provides examples of CBMs that can be used to establish evidence of inadequate achievement across the various academic domains:

CBMs by Academic Area of Concern	
Basic Reading	Phoneme Segmentation Fluency (PSF)[abc], Nonsense Word Fluency (NWF)[abc], Word Identification Fluency/Word Reading Fluency (WIF/WRF)[ab]
Reading Fluency	Oral Reading Fluency (ORF)[abc]
Reading Comprehension	MAZE[abc], Reading Comprehension[a], Vocabulary[a], Proficient Reading[d]
Math Calculation	Mental Computation Fluency[a], Computation[c], Basic Math Numbers and Operations[d]
Math Problem Solving	Concepts & Applications[ac], Basic Math Measurement Geometry and Algebra[d]
Written Expression	Written Expression[a]
Note. [a] = Aimsweb, [b] = DIBELS, [c] = Acadience, [d] = EasyCBM. **This list is only intended to provide examples of CBMs that are available in each academic domain; it is by no means an exhaustive list of commercially available CBMs.**	

It must be noted that there are currently no commercially available CBMs in the areas of oral expression or listening comprehension with sufficient evidence of reliability and validity to be used in high-stakes decision making processes. Further, while there are CBMs of written expression available, they also lack psychometric evidence and should not be used in isolation for high-stakes decision making (Kovaleski et al., 2023). Therefore, when evaluating students with referral concerns in these areas, norm-referenced tests will need to be utilized.

Norm-Referenced Tests.

Norm-referenced tests have long been used in special education eligibility processes. They yield reliable and valid estimates of student achievement, and thus provide evaluation teams with clear data on the relative standing of individual students' skills relative to their age- or grade-level peers. Norm-referenced tests must be used in instances where there are no CBA data available, including instances where available measures lack adequate evidence of reliability and validity (e.g., oral expression, listening comprehension, written expression). They can also be used to provide further evidence of inadequate achievement, if necessary. For example, these assessment tools can be particularly useful to teams when the extent of inadequate achievement is unclear or when existing data sources provide conflicting information. Commonly used norm-referenced tests include the Woodcock-Johnson Tests of Achievement – Fourth Edition (WJ-IV), Wechsler Individual Achievement Test – Fourth Edition (WIAT-4), and Kaufman Test of Educational Achievement – Third Edition (KTEA-3). Importantly, each of these tests have clusters or composites in the area of written expression. For the assessment of oral expression or listening comprehension skills, the WIAT-4 and KTEA-3 both include oral language composites with subtests in listening comprehension and oral expression. While the WJ-IV Tests of

Achievement do not include a similar cluster, the WJ-IV Tests of Oral Language do contain oral expression and listening comprehension clusters.

Determining Extent of Inadequate Achievement

Achievement scores at or below the 10th percentile when compared to same age- or grade-level peers on multiple of the aforementioned assessment tools serves as evidence of inadequate achievement. These measures must include relevant comparisons to state, national, or local norms, and must also be relevant to the specific area(s) of academic concern (e.g., basic reading, reading fluency, math calculation, etc.). Please see FAQs for decisions regarding the use of local versus national norms.

Case Study

Consider the following data for a student in the 3rd grade that is being evaluated for SLD:

Existing Data – 3rd Grade Student		
Measure	**Score**	**Level/Percentile Ranking**
Smarter Balanced Assessment – ELA	2250	1
MAP Reading	170	Lower Achievement/<16th %tile
Oral Reading Fluency	57	10th %tile

The data in the example above indicates that the student did not meet grade level expectations on the state test and scored at the 10th percentile on the fall screener. Note that while the state test data indicate that the student is not meeting grade-level expectations, it does not provide percentile rankings quantifying the scale of inadequate achievement. Also, as a 3rd grade student, this is the first round of state-testing data available to the school team, and there is no previous record of performance. The student's performance on the MAP reading assessment falls in the "Lower Achievement" range, and is below the 16th percentile. Data from universal screening shows that the student was performing at the 10th percentile in the area of Oral Reading Fluency during the winter screening period, as measured by the Oral Reading Fluency (ORF). In this scenario, the existing data available to the school team is providing initial evidence of inadequate achievement in reading. However, follow-up assessments should be conducted to identify the specific area of concern in reading, as well as confirm the extent of underachievement (e.g., achievement score at or below the 10th percentile).

Follow-Up Data – 3rd Grade Student			
Measure	**Words Correct/ Standard Score**	**Percentile Ranking**	**Accuracy**
Oral Reading Fluency – 3rd Grade	57	10th	70%
Word Reading Fluency – 3rd Grade	24	10th	72%
Basic Reading Skills Cluster (WJ-IV)	79	8th	--

The student in this case study was able to read 57 words correct per minute at 70% accuracy when reading a third grade passage on the oral reading fluency (ORF) CBM measure. Their performance on the ORF task fell at the 10th percentile for the winter of 3rd grade, indicating that the current level of reading fluency is surpassed by over 90% of same-grade peers. Also of importance, the student's accuracy level when reading a grade-level passage suggests that their skills in reading fluency may be impacted by an underlying decoding issue. That is, the student may have difficulties with reading individual words accurately which prevent them from reading connected text with fluency. In order to confirm this hypothesis, the student was administered the word reading fluency (WRF) measure, a measure of decoding.

The student's performance on the WRF task fell at the 10th percentile for the winter of 3rd grade. This indicates that their decoding skills are underdeveloped in comparison to 3rd grade peers,

and that they may benefit from instruction targeting decoding skills (e.g., phonics instruction). The student was able to correctly identify 24 words correctly in one minute. In the winter of 3rd grade, students are expected to produce 41 words correctly in one minute.

Given this performance, it would be recommended that the student be administered CBMs from lower grade levels (e.g., testing back) in order to identify their instructional level. In this scenario, the student would be administered a 2nd grade CBM, followed by a 1st grade CBM, if necessary. The test-back procedure would continue until the student is able to score above the 25th percentile and read with at least 75% accuracy (Shapiro & Clemens, 2023). In this case study, the CBA data suggest that issues with decoding are preventing the student from reading connected text fluently. This would signify that the student is demonstrating inadequate achievement in the area of basic reading. To confirm this hypothesis, the student was administered the WJ-IV Basic Reading Skills cluster (e.g., letter-word identification, word attack subtests). Their performance on this assessment was consistent with the 8th percentile. In this instance, a team could conclude with a high degree of confidence that the student is demonstrating inadequate achievement in the area of basic reading.

Guidance

While the above case study outlines a process by which teams can make a determination of inadequate achievement, it is important to remember that inadequate achievement represents just one component of SLD identification in a response-to-intervention framework. Determinations of inadequate achievement should be interpreted within the context of the school's broader MTSS framework. That is, students should be provided with effective tier 1 instruction, and at least two evidence-based interventions targeting the academic area of concern (see SLD Guide Section on Essential Components of MTSS). Further, they should demonstrate insufficient progress after being exposed to effective tier 1 instruction and evidence-based interventions (see TAP #2). Finally, teams must rule out other conditions that may be causing the inadequate achievement and insufficient progress before making a determination on SLD eligibility (see TAPs #3&4).

Considerations for Minimizing the Impact of Measurement Error

In order to minimize the impact of measurement error in the assessment process, evaluation teams should ensure that assessment tools used to make a determination of inadequate achievement have sufficient evidence of reliability, validity, and fairness for individual decision-making in a high-stakes context (e.g., special education eligibility), as referenced in the *Standards for Educational and Psychological Testing* (AERA, APA, NCME, 2014). Furthermore, to account for measurement error that exists within current tests, evaluation teams should adopt the use of confidence intervals in reporting results. This helps relay to stakeholders that tests are imperfect, and only provide estimates of a student's skills in a given domain as opposed to their true ability (e.g., true score). For example, using a 95% confidence interval communicates that a

student's true score likely falls within the specified range, and that there is only a 5% chance that the student's score falls outside of that range.

Conclusion

This TAP addressed how to identify inadequate achievement. This criterion is the first inclusionary factor when identifying a SLD using the dual discrepancy model and it must co-occur with Insufficient Progress (see SLD TAP #2), and the exclusionary factors of Ruling out Alternative Primary Factors and Lack of Appropriate Instruction. The inclusionary and exclusionary factors must be addressed through a comprehensive evaluation that also includes an observation of the student within instruction and intervention.

References

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