



Missouri Division of Workforce Development
DWD Issuance 14-2016

Issued: March 20, 2017
Effective: March 20, 2017

Subject: Determining Basic Skills Deficiencies for Workforce Innovation and Opportunity Act Applicants/Participants

1. Purpose: This Issuance provides guidance to Local Workforce Development Areas regarding the assessments used for basic skills testing in Workforce Innovation and Opportunity Act (WIOA)¹ Title I financially assisted programs.

2. Background: Local Workforce Development Boards (WDB) are required to assess the basic skills of workforce applicants for Youth eligibility² and for an objective assessment of academic levels, skill levels, and service needs of each participant, which includes a review of basic skills.³

WIOA Section 3(5) defines a participant who is “basic skills deficient:”

- (5) *BASIC SKILLS DEFICIENT*.—The term “basic skills deficient” means, with respect to an individual—
- (A) who is a youth, that the individual has English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test; or
 - (B) who is a youth or adult, that the individual is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual’s family, or in society.

3. Substance: WIOA mandates that each Local WDB use assessment tools that are valid, and appropriate for the needs of their target populations, to evaluate the basic skills of applicants and participants. Each Local WDB also must provide reasonable accommodations, if needed, for the assessment of individuals with disabilities.⁴ It is important that any formalized testing used, in addition to being valid and reliable, be appropriate, fair, cost effective, and well-matched to the test administrator’s qualifications. It should be easy to administer and to interpret the results. The Final Rules for WIOA allow local areas flexibility to use assessment instruments other than those acceptable for reporting in the U.S. Department of Education National Reporting System (NRS), if those instruments are valid and appropriate.⁵ This will allow Local WDBs the local discretion to choose those assessment tools best suited for their customers.

Workforce system staff should make the most of partnerships with local organizations that serve individuals with disabilities, including Vocational Rehabilitation, to research and deploy appropriate assessments.

¹ Pub. Law 113-128 [29 U.S.C. 3101 et seq.].

² WIOA 129(a)(1)(B)(III)(aa) and 129(a)(1)(C)(iv)(i)

³ WIOA 129(c)(1)(A) WIOA Final Rule 20CFR681.420(a)(1)

⁴ WIOA Section 188 [29 U.S.C. 3248], 29 CFR 38.12, and 20 CFR 681.290(c).

⁵ U.S. Department of Labor preamble commentary for WIOA Final Rule 20 CFR 681.290, at 81 FR 56169, August 19, 2016.

The Local WDBs' final choices for instruments to assess basic skills continue to be required to be listed in the Local Plan.⁶

Local programs may use previous basic skills assessment results if such previous assessments have been conducted within the past six months. Specifically for In-School Youth (ISY), Local WDBs should continue to accept the basic skills assessments provided by the participant's educational institution.

Please note that this Issuance does not pertain to measuring Educational Functioning Level (EFL) gains after program enrollment under the measurable skill gains indicator. A future Issuance will provide guidance and policy for this process.

4. Actions: This Issuance is effective immediately. The Local WDBs must develop a policy for determining basic skills deficiency as defined in WIOA Section 3(5) and must choose the assessments for basic skills testing. This policy should be developed with guidance for the local subcontractors to implement. The Local WDB's definition for 3(5)(B) must be identified in the next Local Plan modification.
5. Contact: Direct questions or comments regarding this Issuance to the Youth Programs Manager at (573) 526-8241, or melissa.woltkamp@ded.mo.gov.
6. References: Public Law 113-128 [29 U.S.C. 3101 et seq.].

Workforce Innovation and Opportunity Act, Final Rule, ETA Docket 2015-0001, August 19, 2016, 81FR56071-56469.

U.S. Department of Labor, Employment and Training Administration, Training and Employment Guidance Letter (TEGL) 21-16, "Third Workforce Innovation and Opportunity Act (WIOA) Title I Youth Formula Program Guidance," March 2, 2017.
7. Rescissions: None.
8. Attachments: None.

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⁶ DWD Issuance 14-2015, "Planning Policy and Guidelines for Missouri Local Workforce Development Boards," Attachment 1, "Planning Policy and Guidelines for Missouri Local Workforce Development Boards, Program Years 2016-2020," Sections XI(B)(1) and XI(D)(2)(g), February 16, 2016.