



## POLICIES AND PROCEDURES

POLICY TYPE:	WIOA Adult Basic Skills Deficient
EFFECTIVE:	April, 2021
REVISED:	September 19, 2023

### REVISIONS FROM PREVIOUS VERSION

- Separates the WIOA Youth and Adult programs into two separate policies.
- Corrects the following Reference Numbers:
  - WIOA Section (3)(5) corrected to Section 3(5)
  - TEGL Number 21-1 corrected to TEGL Number 21-16
- Basic skills deficient definition added.
- Removes the use of the BSD acronym for basic skills deficiency.

### PURPOSE/BACKGROUND

The Workforce Innovation and Opportunity Act (WIOA) allows for local workforce boards to establish participant definitions and eligibility documentation requirements when the state board elects not to establish a policy. The State of Oregon has deferred the creation of Basic Skills Deficient eligibility standards for WIOA participants to the local workforce boards. This policy outlines the basic skills deficient requirements for the WIOA Adult program.

### REFERENCES

- WIOA Section 3(5)
- WIOA Regulation Section 680.600 (Adult Priority of Service)
- WIOA Regulation Section 681.290 (Definition of Basic Skills Deficient)
- TEGL 19-16 (Operating Guidance for WIOA Programs)
- TEGL 21-16 (WIOA Title I Youth Formula Program Guidance)

### ADULT PROGRAM POLICY

Adults seeking services through WIOA Adult Services shall be assessed to determine their basic skill level at the point of time in which it is necessary to assess for priority of services. Participants who are determined to be basic skills deficient will receive WIOA priority of service consideration.

Per WIOA Section 3(5); 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 8<sup>th</sup> 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.

Basic Skills Deficiency Assessment - The WIOA adult provider shall use a formalized testing instrument(s) designed to measure basic skills. Per §681.290, “in assessing basic skills, local programs must use assessment instruments that are valid and appropriate for the target population, and must provide reasonable accommodation in the assessment process, if necessary, for individuals with disabilities.” For the purposes of the basic skills assessment portion of the objective assessment, local programs are not required to use assessments approved for use in the Department of Education’s National reporting System (NRs), nor are they required to determine an individual’s grade level equivalent or educational functioning level (EFL), although use of these tools is permitted. Lane Workforce Partnership does not prescribe the allowable assessment tool(s), this determination is at the sole discretion of the Service Providers as long as the tool meets the requirements in this section.

Basic skills deficient may be determined by staff during the enrollment process, or during the provision of services at other points in time, when at least one of the following elements are observed (and therefore assessed):

- Is enrolled in a Title II Adult Education and Family Literacy Act program, this also includes enrollment in English as a Second Language (ESL) class.
- Determined to be Limited English Skills proficient through staff-engagement and observation.
- Staff make observations of deficient functioning in completing forms, assisting in the development of a service strategy, or behaviors in group discussion settings.
- Information (in writing or through discussion with the participant) that an educational institution the participant engages or engaged with determined them to have a GPA at D or below within the previous six months.
- Qualifies for Special Education services or has an Individual Education Program (IEP) plan.
- A generally accepted standardized assessment results in English reading, writing, or computing skills are at or below the 8th grade level.

## **PROCEDURES**

Follow the appropriate program standards for assessing documenting and reporting a Basic Skills Deficient characteristic for a WIOA Adult participant.

## **ISSUED**

**Revised Date: September 19, 2023**

**LWP Director of Workforce Programs**