

ATTACHMENT 19.

Basic Skills Assessments (Testing) Policy



**KANSAS CITY & VICINITY
WORKFORCE DEVELOPMENT BOARD**



Serving the city of Kansas City, Mo. and Cass,
Clay, Platte, and Ray counties.

The Full Employment Council, Inc. (FEC) is the fiscal
agent and workforce support organization for the
Kansas City & Vicinity Workforce Development Board.

Workforce Development Board Policy

BASIC SKILLS ASSESSMENT POLICY

POLICY NUMBER: 2017-001, [Modification 2](#)

EFFECTIVE DATE: 03-27-2017

[MODIFICATION DATE: 10-15-2019](#)

APPROVED BY

A handwritten signature in black ink, appearing to read "Clyde McQueen".

Clyde McQueen, President/CEO
Full Employment Council, Inc.,
Strategic Workforce Organization/Fiscal Agent
Kansas City and Vicinity Workforce Development Board

INQUIRIES

Questions about this issuance should be addressed by email to Latrina Collins, Director of Planning, at lcollins@feckc.org, who shall disseminate the agency response after consulting with Full Employment Council Officers.

PURPOSE

The purpose of this Issuance is to provide guidance regarding basic skills assessment and determination of basic skills deficiency for WIOA Applicants/Participants. This Issuance replaces Issuance No. 2017-001, [Modification 1](#), Determining Basic Skills Deficiencies for WIOA Applicants/Participants, [by providing updated information in Section III, Accommodation for Persons with Basic Skill Deficiencies.](#)

BACKGROUND

This issuance is based on the Missouri Department of Workforce Development (DWD) Issuance No. 14-2016. Basic skills deficiency is defined in the Workforce Innovation and Opportunity Act (WIOA). Tests and measures are included in support of this definition.

BASIC SKILLS ASSESSMENT POLICY

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**Attachment A: Missouri Office of Workforce Development Issuance 14-2016,
Determining Basic Skills Deficiencies for Workforce Innovation and Opportunity Act
Applicants/Participants**

POLICY

I. DEFINITION OF BASIC SKILLS DEFICIENCY

Basic Skills Deficiency is defined in the Workforce Innovation and Opportunity Act (WIOA) as a participant who:

- (1) is a youth who has English reading, writing, or computing skills at or below the 8th grade level as reflected on a generally accepted standardized test, or
- (2) a youth or adult who is unable to compute or solve problems, read, write, or speak English at a necessary level to function successfully on a job or in society.

The purpose of this issuance is to provide guidance on determining skills proficiency of youth and young adult program applicants and participants. If a customer is basic skills deficient, staff members will create a plan that will address the goal of obtaining a skill attainment within one year.

II. TESTS AND ASSESSMENT:

1. Participants who possess a high school diploma will provide copies of scores from the American College Testing (ACT). Passing scores are: Reading, 14 or above; Mathematics (Pre-Algebra), 15 or above (equivalent to a ninth grade level in reading and mathematics).
2. Participants who have attained a HISET/GED may produce the certificate and scores from that credential.
3. Participants without a HISET/GED shall complete the TABE Survey test in Reading, Mathematics. The results of this test may be used to determine proficiency/deficiency if the test was administered in the last 6 months. Those scoring as basic skills deficient shall be referred to remediation. Remediation will be available and ongoing as necessary.
4. WorkKeys level (above a Bronze level indicates proficiency).
5. Participants may provide college transcripts that demonstrate skills proficiency by reflecting passing or failing grades in College Mathematics and College English. If students were required to take remedial courses and passed, this demonstrates proficiency.
6. For In-School Youth (ISY), the educational institution is to provide an assessment of basic skills.

III. ACCOMMODATIONS FOR PERSONS WITH BASIC SKILL DEFICIENCIES.

The Full Employment Council (FEC) complies with the Americans with Disabilities Act (ADA) and is committed to the fair and equal services of people with disabilities. The nondiscrimination and equal opportunity (EO) provisions of WIOA prohibit discrimination against applicants, beneficiaries, and employees because of race, color, religion, sex, national origin, age, disability, and political affiliation or belief, and, for beneficiaries only, citizenship or participation in a WIOA Title I financially assisted program or activity. The regulations that implement these provisions are published at 29 CFR Part 38, and further

prohibit intimidation of, or retaliation against, complainants. Additionally, the rules mandate reasonable accommodations and reasonable modifications for individuals with disabilities. All participants with disabilities shall be provided reasonable employment-related accommodations when necessary, unless the accommodation would impose an undue hardship. This section provides guidelines for participants who wish to apply for reasonable accommodations with FEC and prescribes the steps the participant should take if he or she is the victim of discrimination or retaliation in his or her request for an accommodation.

Resources

- U. S. Equal Employment Opportunity Commission, Chapter XIV – Part 1630 – Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act: <http://www.eeoc.gov>
- Job Accommodation Network (JAN): Website available for questions related to workplace accommodations or the Americans with Disabilities Act (ADA) - www.askjan.org
- FEC Harassment and Discrimination Policy

IV. DEFINITIONS RELATED TO ACCOMMODATIONS

Disability: An individual with a disability has:

A physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such an impairment; or is regarded as having such an impairment.

Reasonable accommodation:

Modifications or adjustments to a participant’s process that enable them, with a disability to be assisted; or Modifications or adjustments to the learning environment, or to the manner or circumstances under which the participants would require assistance.

Undue hardship: An undue hardship exists if an accommodation:

Would cause the job center to incur significant difficulty or expense, in comparison to the financial resources available. Is overly extensive, substantial, or disruptive or would alter the nature or operation of the business. A job center is not obligated to make an accommodation that would cause an “undue hardship.”

V. ACCOMMODATION REQUEST PROCEDURE

1. Participants may request an accommodation by completing FEC Accommodation Request Form and submitting it, along with supporting medical documentation, if applicable, to Equal Opportunity Office. Participants may request accommodations verbally or in writing.
2. Please allow 24 to 48 hours, after the request, for the accommodation to be available, unless there are assistive technologies on site that may assist the participants on the day of the request.



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.

The Missouri Division of Workforce Development is an equal opportunity employer/program.
Auxiliary aids and services are available upon request to individuals with disabilities.
Missouri TTY Users can call (800) 735-2966 or dial 7-1-1.



Amy Sublett
Acting Director
Missouri Division of Workforce Development

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.