

WIOA-2016-012 ADMINISTRATIVE MEMORANDUM
PROCEDURE FOR DETERMINING BASIC SKILLS DEFICIENCY FOR YOUTH OR ADULTS
Revised 05/2025

I. INTRODUCTION

The Bayamón-Comerío Consortium is a Local Area under the (Workforce Innovation and Opportunity Act -WIOA), which began operations on July 22, 2014. WIOA provides a system designed to assist individuals in establishing a work history and developing skills and abilities that lead to self-sufficiency.

II. PURPOSE

To provide direction and guidance for the development of skills and competencies through the implementation of meaningful experiences in occupations and trades aimed at fostering independence and acquiring knowledge related to the world of work, enabling individuals to develop socially and personally and obtain a sustainable source of income.

III. LEGAL BASIS

The following statutory authorities have been used as the basis for this procedure:

- Public Law 113-128 of July 22, 2014, the Workforce Innovation and Opportunity Act (WIOA), Title I: Section 3 - Definitions (5)(B), Section 128, and Section 134(c)(3)(E).
- Workforce Innovation and Opportunity Act Regulations, Federal Register, 20 CFR, Parts 653 et al., August 16, 2016: Sections 680.600(a) and 681.290(b).

IV. APPLICABLE DEFINITIONS

The term Basic Skills Deficient, as defined under the interpretive regulations of the Workforce Innovation and Opportunity Act (WIOA), consists of two (2) parts:

1. A youth whose English reading, writing, or computing skills are below the eighth-grade level as measured by an accepted standardized test.
2. A youth or adult who is unable to compute or solve problems, read, write, or speak English at a level necessary to function effectively on the job, within the family, or in society.

V. LOCAL BOARD PUBLIC POLICY

The Local Area shall observe and apply the definition established in Section 3(5)(B) of the Act and Section 681.240 of the Final WIOA Regulations, which specifically addresses English language deficiency. However, this definition is expanded as provided in the definitions that follow.

Additional to the strict definition, a youth or adult shall be considered Basic Skills Deficient if he or she:

1. Has deficiencies in Spanish reading and writing skills below the eighth-grade level as measured by an accepted and standardized test.
2. Is unable to calculate or solve problems, read, or write in Spanish at a level necessary to function effectively in the workplace, within the family, or in society.

The justification for this expanded deficiency criterion is because Spanish is the official language of Puerto Rico. It is the language most used in employment settings and in the social and work environment.

VI. SERVICE PROCEDURES

For the provision of services, the interviewer shall ensure that the applicant submits acceptable documentation to verify the general eligibility criteria, including, but not limited to, the following:

- Verification that the individual is eligible to receive assistance under the Adult or Youth Program.
- Determination of the assessment method and process to be used to measure an individual's inability to calculate or solve problems, read, write, or speak English at a level necessary to function effectively at work, within the individual's family, or in society.
- When assessing basic skills, strategies and assessment instruments shall be established through appropriate forms, ensuring that they are valid and suitable for the target population. These tools shall facilitate the individual's entry into a training program that provides the resources needed to acquire or enhance skills and competencies. In addition, reasonable accommodation should be provided throughout the assessment process when necessary.

- Adults may be determined to be basic skills deficient through documented observations made by the Case Manager. Such determinations may also be supported by the following:
 - Basic Skills Assessment questions or test results.
 - Educational records.
 - Referrals from, or records of participation in, a Title I Adult Basic Education Program.
 - Referrals from, or records of participation in, an English as a Second Language (ESL) Program.
- A youth who is eighteen (18) years of age and has been determined to be basic skills deficient may be enrolled in the Adult Program without a new Eligibility Determination and shall be counted as an Adult eligible for priority of service, provided that the initial determination was made no more than six (6) months prior to the enrollment date.

VII. EFFECTIVE DATE

This Public Policy shall become effective upon its approval and shall remain in effect until it is amended.

Signed and approved on December 1, 2021.



Eliud M. Díaz González
Chairman

Bayamón-Comerío Local Workforce Development Board (LWDB)