



**Division of Workforce
Development and Adult Learning
(DWDAL)**
Policy Issuance



**PI 2025-10 | Basic Education Skills and English Language Assessments Policy |
August 4, 2025**

TO Maryland Department of Labor (MD Labor) Division of Workforce Development and Adult Learning (DWDAL) staff and Program Applicants/Grantees.

FROM DWDAL, Maryland Department of Labor (MD Labor)

SUBJECT Basic Education Skills and English Language Assessments

PURPOSE To provide policy guidance on basic education skills and English language assessments.

ACTION DWDAL will ensure all relevant staff are aware of and receive copies of this policy. DWDAL policies are available on the [MD Labor website](#).

EXPIRATION Until Cancelled.

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EXECUTIVE SUMMARY

The Maryland Department of Labor (MD Labor)'s Division of Workforce Development and Adult Learning (DWDAL) oversees Maryland's implementation of workforce development programs authorized by the Federal Workforce Innovation and Opportunity Act (WIOA). The core programs funded under WIOA, including the Adult, Dislocated Worker, and Youth program (Title I), the Adult Education and Family Literacy Act (AEFLA) program (Title II), and the Vocational Rehabilitation program (Title IV), must all regularly report on their performance.

One performance indicator used to evaluate these programs' successes is Measurable Skill Gain (MSG), which documents the percentage of program participants who are in an education or training program and are achieving specific benchmarks, defined as documented academic, technical, occupational, or other forms of progress, towards a recognized postsecondary credential or employment.

This policy issuance outlines the valid assessments that programs may give to their participants at program entrance and exit to determine their skill level and evaluate their change after the program. The currently approved vendors for these Assessments are CASAS, TABE, and WorkKeys; all valid, current tests from these vendors are approved for use by programs.

For programs whose participants are aiming to obtain specific MSG gains, a test for alternative placement may be administered. This policy issuance overviews the MSG types for which a program may place a participant using these tests and the alternative placement test approval process.

CANCELLATIONS

The following are hereby cancelled, replaced, and archived by this policy issuance:

- Policy Issuance 2023-02, “Basic Education Skills and English Language Assessments,” dated January 10, 2023.

Archived policies are available at <https://labor.maryland.gov/employment/mpi/>.

ACRONYMS AND ABBREVIATIONS

ABE	Adult Basic Education
AELS	Office of Adult Education and Literacy Services (<i>Maryland Department of Labor</i>)
AJCs	American Job Centers
BEST	Basic English Skills Test
CASAS	Comprehensive Adult Student Assessment System
CCR Standards	College and Career Readiness Standards for Adult Education
DWDAL	Division of Workforce Development and Adult Learning (<i>Maryland Department of Labor</i>)
EFL	Educational Functioning Level
ELL	English Language Learner
ESL	English as a Second Language
ETA	Employment and Training Administration (<i>United States Department of Labor</i>)
FERPA	Federal Education Rights and Privacy Act
GED Test®	High School Equivalency (HSE) Assessments administered by the GED Testing Service
GOALS Series	Greater Opportunities for Adult Learning Success Series
HSE	High School Equivalency
IET	Integrated Education and Training
LACES	Literacy, Adult and Community Education System
LEP	Limited English Proficiency
MIS	Management Information Systems Specialist
MD Labor	Maryland Department of Labor
MSG	Measurable Skill Gains
MWE	Maryland Workforce Exchange
NEDP	National External Diploma Program
NRS	National Reporting System
OCTAE	Office of Career, Technical and Adult Education (<i>United States Department of Education</i>)
OJT	On-the-Job Training
TABE	Test of Adult Basic Education
TEGL	Training and Employment Guidance Letter
Trade Program	Trade Adjustment Assistance for Workers Program
USDOL	United States Department of Labor
WIOA	Workforce Innovation and Opportunity Act

GENERAL INFORMATION

WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)

The Workforce Innovation and Opportunity Act (WIOA) was signed into law on July 22, 2014, and went into effect July 1, 2015. WIOA supersedes the Workforce Investment Act of 1998 and amends the Adult Education and Family Literacy Act, the Wagner-Peyser Act, and the Rehabilitation Act of 1973. To help both businesses and job seekers meet their needs, the workforce system established under WIOA is integrated by design. WIOA envisions connecting businesses with job seekers, through meaningful partnerships among workforce, education, human services, and economic development entities which ensure optimum results and leveraging of resources. The law addresses the needs of job seekers through establishing a workforce system that helps them access employment, education, training and support services to succeed in the labor market. Through American Job Centers (AJCs), WIOA works to address employer needs by matching them to the skilled workers they need to compete in the global economy. Adult Education services allow learners to gain the skills needed to succeed in the workforce and gain credentials that will allow them to enhance their careers.

OVERVIEW OF ADULT BASIC EDUCATION (ABE) AND ENGLISH AS A SECOND LANGUAGE (ESL) ASSESSMENTS

Application of ABE and ESL Assessments in the Workforce System

A variety of Maryland WIOA partner programs utilize Adult Basic Education (ABE) and English as a Second Language (ESL) assessments for a range of purposes. Program staff working with job seekers assess program participants to determine whether they possess the minimum requirements for job opportunities or are prepared to succeed in occupational training. Within the context of ABE and ESL programs, service providers rely on assessments to place program participants in appropriate levels of coursework and evaluate learner progress. Assessments provide feedback on the effectiveness of instruction and produce valuable information that can be used to map out effective individualized service plans.

Covered Programs

The following programs must follow the guidance on ABE and ESL assessments provided in this policy issuance:

1. WIOA Title I Adult Program;
2. WIOA Title I Dislocated Worker Program;
3. WIOA Title I Youth Program;
4. WIOA Title II Adult Education & Family Literacy Act Program; and,
5. Trade Adjustment Assistance for Workers Program (Trade program).¹

¹ Trade program staff must refer participants that require ABE or ESL assessments to WIOA Title I program staff. In turn, WIOA Title I program staff must share assessment results with the appropriate Trade program staff to determine appropriate next steps.

Differences in administration and reporting requirements across the covered programs exist due to oversight by two separate federal agencies. The U.S. Department of Labor’s Employment and Training Administration (ETA) funds and oversees the WIOA Title I and Trade programs, while the U.S. Department of Education’s Office of Career, Technical, and Adult Education (OCTAE) is responsible for funding and overseeing the WIOA Title II program.

Measurable Skill Gains (MSGs)

WIOA identifies six performance indicators² that States and Local Workforce Development Areas (Local Areas) must use to assess their effectiveness in achieving positive outcomes for individuals served by the workforce system. One of the six performance indicators is the Measurable Skill Gain (MSG). According to federal guidance,³ the MSG accounts for the percentage of program participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving academic, technical, occupational, or other forms of progress towards such a credential or employment. WIOA Title I program staff and Title II service providers can use the MSG indicator to document how well participants are progressing through pathways that offer different services based on program purposes and participant needs.

There are five methods for documenting MSG⁴:

1. **MSG Type 1** – Educational Functioning Level (EFL) Gain
 - a. **MSG Type 1A** – Pre- and post-testing: Documented achievement of at least one educational functioning level in reading, writing, speaking, and listening and functional areas, as measured by an NRS-approved assessment.
 - b. **MSG Type 1B** – Earning enough Carnegie Units or credits to move from ABE level 5 to ABE level 6, according to State rule (Not used in Maryland).
 - c. **MSG Type 1C** – For students who are enrolled in a program below the postsecondary level, enrollment in a postsecondary educational or training program during the program year.⁵
 - d. **MSG Type 1D** – Passing a subtest on a State-recognized High School Equivalency examination.
2. **MSG Type 2** - Documented attainment of a secondary school diploma or its recognized equivalent;
3. **MSG Type 3** - Secondary or postsecondary transcript or report card for a sufficient number of credit hours that shows a participant is meeting the Maryland Higher Education Commission academic standards;
4. **MSG Type 4** - Satisfactory or better progress report towards established milestones, such as completion of On-the-Job Training (OJT) or completion of one year of a Registered Apprenticeship program or similar milestones, from an employer or training provider who is providing training; or
5. **MSG Type 5** - Successful passage of an exam that is required for a particular occupation or progress in attaining technical or occupational skills as evidenced by trade-related benchmarks, such as knowledge-based exams.

² More information on the six WIOA performance indicators is available at <https://www.dol.gov/agencies/eta/performance/performance-indicators>.

³ TEGL 10-16 Change 3, “[Performance Accountability Guidance for Workforce Innovation and Opportunity Act \(WIOA\) Core Programs](#),” dated June 11, 2024.

⁴ MD Labor’s full MSG Policy can be found here: <https://labor.maryland.gov/employment/mpi/mpi1-23.pdf>.

⁵ Enrollment in post-secondary can occur after exit as long as during the program year.

Educational Functioning Levels (EFLs) and the National Reporting System

To document MSG by measuring EFLs, programs must be able to document that a participant receiving instruction below the postsecondary education level completed or progressed at least one EFL. An EFL describes a *level of competency*. There are two categories of EFLs: 1) ABE; and 2) ESL. Within each of the EFL categories, there are six EFL levels, organized on a continuum from basic to advanced levels of literacy.

The National Reporting System (NRS) defines the descriptor criteria for EFLs. The NRS is an accountability system established by OCTAE to ensure that all states systematically report learner outcomes. On an annual basis, the NRS approves a list of standardized ABE and ESL assessments. NRS-approved assessments must include score ranges aligned with EFLs. Completion of, or progress within, an EFL is determined by pre-testing and post-testing a participant with an NRS-approved assessment and comparing the results.

Maryland Basic Education Skills and English Language Assessments Manual

OCTAE requires states to provide detailed information on the guidelines and procedural requirements for ABE and ESL assessments that extend beyond the scope of this policy issuance. To meet OCTAE requirements and support proper statewide implementation of assessments across all covered programs, the Office of Adult Education and Literacy Services within the Maryland Department of Labor (MD Labor), Division of Workforce Development and Adult Learning (DWDAL), maintains the [Maryland Procedural Manual: Basic Skills and English Language Acquisition Assessment Practices](#). Throughout this policy issuance, readers will be referred to the manual to access more detailed guidance, when relevant.

MARYLAND’S APPROACH TO ABE AND ESL ASSESSMENTS

MD Labor prescribes that both WIOA Title I program staff and WIOA Title II service providers assess customers with State-selected, NRS-approved ABE and ESL assessments. Requiring both programs to use the approved assessments facilitates service integration, supports continued customer engagement with the workforce system, and helps to ensure participants are connected to career and educational services aligned with their learning and employment goals. To maximize the effectiveness of ABE and ESL assessments, MD Labor focuses on three key strategies:

1. *Ensure Assessment Quality.* The partner programs covered by this policy issuance must use ABE and ESL assessments that meet NRS quality standards. Per NRS Assessment Policy Guidelines⁶, assessments and assessment administrators must:
 - a. Be appropriate for measuring the literacy and language development of adult students;
 - b. Have standardized administration and scoring procedures;
 - c. Have alternate equivalent forms for pre- and post-testing; and
 - d. Have evidence linking them to NRS EFLs.
2. *Properly and Consistently Administer Assessments.* Program staff must properly and consistently administer ABE and ESL assessments in order for the results to be valid, reliable, and accepted by

⁶ NRS Assessment Policy Guidelines, Revised August 7, 2020, available at <https://www.federalregister.gov/documents/2020/08/07/2020-17301/tests-determined-to-be-suitable-for-use-in-the-nationalreporting-system-for-adult-education>.

multiple partner programs. To ensure proper and consistent administration of assessments, partner programs must adhere to three sources:

- a. Be appropriate for measuring the literacy and language development of adult students;
 - b. Have standardized administration and scoring procedures;
 - c. Have alternate equivalent forms for pre- and post-testing; and
 - d. Have evidence linking them to NRS EFLs.
3. *Effectively Share Assessment Results with Partners.* WIOA encourages States and Local Areas to utilize previous assessments, where appropriate, to reduce duplication of services and enhance system alignment.⁷ Increased collaboration among WIOA partner programs will decrease the likelihood of customers having to complete multiple assessments, contributing to greater efficiency in the overall workforce system, and improving the customer experience.

MD Labor requires Local Areas to explain in their local plans how WIOA Title I and Title II program staff will coordinate the use of assessments. At a minimum, Local Areas must address the following elements in their Local Plans:

1. Outline the agreed upon steps WIOA Title I and II program partners will take to align ABE and ESL assessments within the Local Area, including, but not limited to, any Memoranda of Understanding entered into by the WIOA Title I and II partners;
2. Identify how assessment scores will be shared among WIOA Title I program staff and Title II service providers (Consideration must be given to the Federal Education Rights and Privacy Act (FERPA) and the DWDAL policy on privacy and data security⁸);
3. Identify who will conduct which of the approved assessments (including for Trade program participants) and when such assessments will be conducted, consistent with this policy;
4. Specify how the Local Area will coordinate testing between WIOA Title I program staff and Title II service providers; and,
5. Outline how the Local Area will ensure that test administrators are trained in accordance with this policy and applicable testing guidelines as set forth by the applicable test publisher.

⁷ USDOL TEGL 19-16, [Guidance on Services provided through the Adult and Dislocated Worker Programs under WIOA and the Wagner-Peyser Act Employ.](#)

⁸ DWDAL Policy Issuances are available at <http://www.labor.maryland.gov/employment/mpi/>.

TARGET POPULATIONS

WIOA TITLE I PROGRAM PARTICIPANTS AND TRADE PROGRAM PARTICIPANTS

WIOA Title I program staff must assess Adults, Dislocated Workers, Youth, and Trade program participants with a State-selected, NRS-approved assessment, as appropriate, to support their training and employment goals. WIOA focuses on serving individuals with barriers to employment and seeks to ensure access to quality services for these populations. WIOA Section 134(c)(3)(E) states that priority for individualized career services and training services must be given to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient.

Individuals who score below ABE EFL Level 5 meet the “Basic Skills Deficient” standard. Per WIOA Section 3(5), individuals are regarded as Basic Skills Deficient if they are: (1) youth with English language, reading, writing or computing skills at or below the 8th grade level on a generally accepted standardized test, or (2) youth or adults who are unable to compute or solve problems, or read, write or speak English, at a level necessary to function on the job, as a family member, or in society. The primary method for determining whether an individual is Basic Skills Deficient is through a State-selected, NRS-approved ABE or ESL assessment. WIOA Title I program staff may, when appropriate, alternatively determine that someone is Basic Skills Deficient through interactions that may include, but are not limited to: interviews, intake, or other similar informal assessments.

Each of Maryland’s Local Areas must specify in their local plans which subset of their overall workforce customers will be assessed. Staff must make every effort to avoid over-assessing customers.

WIOA TITLE II PROGRAM PARTICIPANTS

WIOA Title II service providers must assess all participants in WIOA Title II-funded programs, including those enrolled in the National External Diploma Program (NEDP), with a State-selected, NRS-approved assessment.

APPROVED ABE AND ESL ASSESSMENTS

Assessment choice must be based on the skill area or areas that are the focus of instruction for the participant, or for another reason specified in the Local Area's workforce plan.

Note that the NRS may set expiration dates, sunset periods, or extensions on specific assessments while this policy is in effect that could impact what assessments are available. WIOA Title I and Title II program staff will follow State guidance regarding transitioning to newly approved tests, unless a new policy is issued.

TEST APPROPRIATENESS FOR SPECIFIC POPULATIONS

Programs must administer tests that are appropriate for the learner population and align with their goals. Typically English Language Learners (ELLs) should not be tested with an ABE Assessment unless they test above ESL level 6 or the coursework requires proficiency in a specific area such as math.

MARYLAND APPROVED TESTS

The following sections overview the approved ABE and ESL assessments in Maryland. Unless otherwise stated, all additional tests in the below series from these vendors are allowable, approved tests. Programs can refer to the [Maryland Procedural Manual: Basic Skills and English Language Acquisition Assessment Practices](#) to see the current test that is valid and in use for each vendor.

ABE ASSESSMENTS

Assessment	Description
CASAS GOALS (Greater Opportunities for Adult Learning Success) Series	Assessments used to measure the reading and math skills of ABE students. The assessments are aligned with the College and Career Readiness Standards (CCRS) ⁹ for Adult Education.
Test of Adult Education (TABE®)	Standardized test that measures basic skills in reading, language, and math proficiency for adult learners. TABE is aligned with the CCRS and can be administered as an online or paper test.
WorkKeys® ¹⁰	ACT® WorkKeys® is an assessment tool that measures essential foundational and workplace skills linked to effective job performance.

ESL ASSESSMENTS

Assessment	Description
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⁹ More information on CCR Standards for Adult Education is available at <https://lincs.ed.gov/publications/pdf/CCRStandardsAdultEd.pdf>.

¹⁰ WorkKeys is **not** a valid test for ESL learners.

CASAS STEPS (Student Test of English Progress and Success) Series	This series measures the reading and listening skills of ELLs in an adult education program. This series is aligned with the English Language Proficiency Standards (ELPS) and replaces the CASAS Life and Work Series, The CASAS STEPS Series is available in both eTEST and paper formats.
TABE® CLAS-E (Complete Language Assessment System-English)	TABE CLAS-E measures the language proficiency of adult ELLs in the areas of reading, writing, speaking and listening.

INFORMAL ASSESSMENTS

In addition to the required standardized tests for accountability, MD Labor encourages WIOA Title I program staff and WIOA Title II service providers to use a variety of informal assessments to assist in guiding instruction and progress toward educational goals.

These may include:

1. Performance samples – such as writing samples, journals, worksheets, audiotapes, projects, and demonstration of a task;
2. Informal reading inventory;
3. Learner self-evaluation;
4. Learning plans & logs;
5. GED Ready®;
6. Computer-generated assessments – such as by topic or subject area;
7. Textbook tests;
8. Teacher-designed tests; and
9. Interviews and teacher observations – dated anecdotal record.¹¹

¹¹ Anecdotal records are written summaries describing a single developmental incident after the event has occurred. Written from memory, anecdotal records document a student's growth and trends.

TYPES OF TESTS

This section of the policy issuance provides high-level guidance on the purpose and administration of State-selected, NRS-approved appraisals, pre-tests, and post-tests. In addition to following this guidance, assessment administrators must also follow procedural guidance provided in the [*Maryland Procedural Manual: Basic Skills and English Language Acquisition Assessment Practices*](#) as well as all test publisher guidance.

PLACEMENT TESTS

The purpose of placement tests, (also known as “appraisals” and “locators”) is to provide assessment administrators with preliminary information on a program participant’s skill levels. Placement tests indicate which pre-test to administer. All programs are required to administer a placement test unless the participant:

1. Has a current placement test (within 12 months); or
2. Has limited literacy skills or has limited ability to understand or speak English, determined at intake by staff observation, or self-reported with appropriate documentation.

WIOA Title I program staff and Title II service providers may not use placement tests in place of pre-test or post-test assessments.

PRE-TESTS

The purpose of pre-testing is to determine a program participant’s entry EFL. Pre-test results provide accurate baseline information that can help to shape instructional objectives and assist service providers in monitoring participant progress. MD Labor requires that WIOA Title I program staff and Title II service providers administer pre-tests to participants as soon as possible in the intake process, prior to the commencement of instruction or training services, and/or when deemed appropriate by WIOA Title I program staff, as described in approved local plans. Program participants do not need to be assessed in all of the skill areas that an assessment series includes. The local program must decide the skill areas most relevant to each participant’s needs or the program’s curriculum and assess students in these areas. Initial placement may be set using assessment results from the pre-test for any skill area.

Post-test scores obtained at the end of a semester or other reporting period may serve as a pre-test for the next reporting period, provided that the interim does not exceed six months. Learners who have dropped out of an instructional program for more than four months must be administered a new pre-test upon return in order to assure proper placement in the program. That pre-test should be the same level but a different form from the previous pre-test.

Completed pre-tests or a printout of pre-test scores must be retained as documentation for monitoring purposes.

POST-TESTS

The purpose of post-testing is to measure whether the instruction a program participant received has improved their skills in a specific area, using the pre-test as a baseline. WIOA Title I Youth¹² and Title II service providers must administer post-tests to participants at least once during the fiscal year, provided participants have accumulated sufficient instructional hours. Generally, Maryland recommends 70 – 100 hours of instructional time between pretests and post-tests, to maximize student success. However, each publisher defines the minimum instructional hours required between pre-tests and post-tests for their assessment tool. Information on instructional hours requirements for specific assessments are included in the [Maryland Procedural Manual: Basic Skills and English Language Acquisition Assessment Practices](#) as well as publisher guidance. If more than one skill area is assessed during pre-testing, the assessment administrator may measure MSG with a post-test in any subject area in which a participant was pre-tested. As previously noted in the section describing pre-tests, a participant's post-test assessment results may serve as the pretest for the next reporting period.

NEDP® and WIOA Title I Adult and Dislocated Worker programs do not typically require post-testing, however, a post-test must be administered to participants to determine their progress in either adult education instruction and/or the WIOA Title I Youth program, if they are out-of-school youth. WIOA Title II service providers are required to post-test at least seventy percent of the program participants served by the program using a valid matched pair of pre-/post-tests for the fiscal year (see below for additional information on matched pairs).

MD Labor recommends that program participants receive 70 to 100 instructional hours prior to post-testing. Test publishers allow testing after a minimum of 40 hours of instruction. Shorter pre-test to post-test time periods do not allow for learner gain and can result in over-testing, affecting validity. Rare exceptions to the minimum instructional hours prior to post-testing are allowable on a per participant basis only. Such exceptions could include a teacher's observation that a participant has made measurable progress in fewer than the minimum instructional hours based upon a number of learner-demonstrated factors. A teacher may also determine it is appropriate to administer a post-test if a participant indicates that they must exit class prior to the minimum instructional hours and they have demonstrated measurable progress. WIOA Title I program staff and Title II service providers who allow post-tests in less than the recommended time must maintain complete documentation that supports the reason for any exception. MD Labor will monitor local programs on their use of exceptions and will take appropriate actions for excessive use or misapplication of exception provisions.

For monitoring purposes, programs must retain the completed assessments when delivered on paper, or an official electronic copy of the test score through a test vendor's e-test system when delivered electronically.

MATCHED PAIRS

¹² All in-school youth are subject to the requirements of the Maryland State Department of Education's High School Assessment Program, which measures the youth's progress toward high school competency standards in English, Algebra/Data Analysis, Government, and Biology. Requiring additional testing for this population would increase burden on participants and would be duplicative of the services they are receiving in the secondary school system.

Matched pair assessments are pre-tests and post-tests in which the content is coordinated to ensure the results accurately compare performance on defined skills prior to and following instruction. For a matched pair in a test battery to be valid, the post-test must:

1. Be in the same test series;
2. Not be more than one test form level greater than the pre-test; and
3. Be a different form number or letter from the pre-test.

WIOA Title II service providers are required to post-test at least seventy percent of the participants served by the program using a valid matched pair of pre-/post- tests for the fiscal year.

TESTS FOR ALTERNATIVE PLACEMENT

In an effort to reduce barriers for participants seeking to achieve specific goals not measured by NRS assessments, MD Labor will allow alternative placement options for participants who expect to obtain one of the MSG types listed below. These tests for alternative placement should be used to determine the academic skill level of a participant upon entering a specific program; programs should use these results to determine which skill areas to focus on while working with these participants to ensure their success in obtaining the program's respective MSG.

Tests for alternative placements **cannot** be used to measure a pre- or post-test gain. Learners placed through this option will **not** be eligible to obtain MSG Type 1A, which requires pre- and post-testing using an NRS assessment. Those placed with an alternative option must still meet all eligibility requirements outlined in [WIOA Section 203\(4\)](#).

Programs may consider tests for alternative placement **only** for the following MSG Types:

1. MSG Type 1D: Passing a subtest of the State-recognized High School Equivalency examination
2. MSG Type 2: Documented attainment of a secondary school diploma;
3. MSG Type 4: Satisfactory progress towards milestones (typically for Workplace Literacy programs).
4. MSG Type 5: Passing an exam required for an occupation or showing progress in technical or occupational skills (typically for IET programs).

Effective August 4, 2025, programs whose participants are attempting to pass any subtest of the approved High School Equivalency (HSE) exams¹³ in Maryland (MSG Type 1D or 2), including the GED® Test, may **automatically** use the following alternative placement options, provided that the local program can document that they will provide relevant courses of study, such as tutoring, boot camps or intensive classes in the subject area that the student needs to complete. Programs are not required to use these tests for alternative placement; however, programs choosing to do so must only administer them to students as follows:

1. Students who have passed **3 out of 4** GED® Tests may be placed using:
 - a. A GED Ready® Test in the remaining subject they need to pass, either taken within the last 12 months or given to them upon their entrance into the program; or
 - b. A previous unsuccessful score on the official GED® Subject Exam (also known as a module) in the subject the student needs to pass, taken within the last 12 months.
2. Students who have passed **2 out of 4** GED Tests maybe placed using:
 - a. A GED Ready® Test in one of the remaining subjects they need to pass, either taken within the last 12 months or given to them upon their entrance into the program, with a minimum score of 134.
3. Students who have passed **1 out of 4** GED® Tests or who **have not taken any** GED® tests may only be administered an alternative placement option with the written approval of MD Labor; programs wishing to administer an alternative placement option to these students must apply for a waiver to use an

¹³ At the time of this writing, the only approved HSE Exam in Maryland is the GED® Test.

alternative placement in line with the “Tests for Alternative Placement Approval Process” section of this policy.

GED Ready® or GED® Test scores that are older than 12 months may **not** be used as an alternative placement option.

Programs planning to use alternative placement to assist students with gaining MSG Type 4 or MSG Type 5 must submit their proposed plan to AELS prior to the start of class in accordance with the Approval Process for Tests for Alternative Placement section below.

APPROVAL PROCESS FOR TESTS FOR ALTERNATIVE PLACEMENT

Before a program may use an alternative placement test, they must submit an application to MD Labor that contains the following information:

1. The MSG that the students in the program are working toward;
2. Why the standard NRS assessments do not work for that population;
3. A description of the program’s intake process for participants pursuing this MSG type;
4. A description of the program’s curriculum; and
5. A copy of the proposed alternative test, with the exception of a GED Ready® Practice Test¹⁴ for MSG Types 1D and 2.

Programs interested in providing an alternative placement test to their participants must complete the application form (provided separately from this policy issuance). Application forms must be submitted to aels.labor@maryland.gov.

The application will be reviewed by AELS staff within fourteen (14) business days. Unsuccessful applicants may appeal their decision to the AELS Director in writing via email within fourteen (14) business days. Appeals must state, in writing, the basis for the appeal, including the facts or issues that support the appeal. The decision of the AELS Director is final.

¹⁴ GED Ready® Practice Tests are standardized and published by the GED® Testing Service.

TEST ADMINISTRATION

GENERAL REQUIREMENTS

Assessment administrators must follow the guidance provided in this policy issuance, in conjunction with the [*Maryland Procedural Manual: Basic Skills and English Language Acquisition Assessment Practices*](#) and the publisher's official examiner manuals to determine assessment practices. Providers shall follow all guidelines in the publisher's manuals and keep the most current copy of the manuals for each test used by the program.

Remote testing is available for online tests only. Paper tests must be administered in a physical environment to ensure test security. Test administrators and students must have the appropriate technology. Guidance on remote testing is available by publishers on their websites:

1. CASAS: <http://www.casas.org/>; and
2. Data Recognition Corporation (TABE and TABE CLAS-E): <http://www.tabetest.com/>;
3. WorkKeys: <https://www.act.org/content/act/en/products-and-services/act-workkeys/act-workkeys-assessments.html>.

WHEN SHOULD PARTICIPANTS BE ASSESSED?

MD Labor generally recommends that participants receive 70 to 100 hours of instruction between pre- and post-testing. Test publishers allow testing after a minimum of 40 hours of instruction. Information on test publisher recommendations is included in the [*Maryland Procedural Manual: Basic Skills and English Language Acquisition Assessment Practices*](#).

TEST INTEGRITY

All assessment administrators shall ensure that the following misuses of tests do not occur:

1. Teaching to the actual test item;
2. Copying and distributing a test item or test booklet to unauthorized personnel or learners prior to or after test administration as a study guide;
3. Administering a lower level test to artificially increase the learning gain between pre-tests and post-tests;
4. Administering pre-/post-tests in quick succession without sufficient time for instruction to allow for learning gains;
5. Reducing the amount of time allowed on a pre-test (e.g., less than 20 minutes), while increasing the amount of time on a post-test (e.g., 40-60 minutes);
6. Deleting test answers on the pre-test to lower the score;
7. Deleting accurate tests to manipulate learning gains;
8. Altering test items or score information;
9. Providing the answers to test questions;
10. Translating test items and answers into another language;
11. Excluding certain individuals or groups from pre- and post-testing;

12. Administering the test by an individual who is not qualified to do so; and/or
13. Duplicating or copying the test of one learner and replacing the identification number with the identification number of another student.

DATA SECURITY

To ensure that all information related to participant assessments is protected, WIOA Title I program staff and Title II service providers must adhere to the policy and procedures described in MD Labor's policy on privacy and data security.¹⁵

INTELLECTUAL PROPERTY REQUIREMENTS

Assessment materials are copyrighted and shall not be duplicated. Materials must be purchased directly from the test publisher. The [*Maryland Procedural Manual: Basic Skills and English Language Acquisition Assessment Practices*](#) includes website and contact information for all State-selected assessments.

¹⁵ All policy issuances are available on DWDAL's Policy Issuance web page at <http://www.labor.maryland.gov/employment/mpi/>.

TRAINING REQUIREMENTS FOR TEST ADMINISTRATORS

DWDAL requires all Title I and Title II assessment administrators to complete publisher-approved training prior to administering any of the State-selected, NRS-approved ABE and ESL assessments. Training must cover: NRS policy, accountability policies, and data collection; definition of performance measures; and guidelines for assessment administration.

The structure of training and the modalities through which training is accessed vary by publisher. Maryland requires all staff¹⁶ who administer TABE, CASAS, or WorkKeys assessments to complete the online training components offered by each publisher. Information on how to access online or in-person training is included in the [Maryland Procedural Manual: Basic Skills and English Language Acquisition Assessment Practices](#). State staff in DWDAL's Office of Adult Education and Literacy Services are available to provide additional technical assistance, as needed.

WIOA Title I and Title II assessment administrators must complete training on this policy issuance and on providing assessments upon hire and every two years thereafter.

Local WIOA Title I assessment administrators must submit documentation to their supervisors demonstrating completion of training. Supervisors must be prepared to share that documentation with MD Labor or USDOL upon request.

WIOA Title II Management Information Specialists (MIS) must enter training data in the Literacy, Adult and Community Education System (LACES).

¹⁶ Correctional Education (CE) staff do not have onsite internet access and therefore cannot complete assessment trainings using the online format. To ensure CE staff meet the training requirements set forth under this policy, the Director of CE within DWDAL will ensure staff are trained using alternative equivalent training options.

ACCOMMODATIONS FOR PARTICIPANTS WITH DISABILITIES OR OTHER SPECIAL NEEDS

ADMINISTERING ASSESSMENTS TO PROGRAM PARTICIPANTS IN NEED OF ACCOMMODATIONS

Under Section 188 of WIOA and related regulations, accommodations are available to individuals who choose to voluntarily disclose legally protected disabilities to mitigate the effects of the disability. An individual with a record for a substantially limiting impairment may be entitled to a reasonable accommodation or reasonable modification if needed and related to a disability. Assessment accommodations will be based upon the nature of the disability or special need¹⁷ and can include, but are not limited to:

1. Braille Test Edition – For learners who are proficient in this mode of access to written material. Test administrator must transfer Braille answers to a scorable answer document.
2. Large Print Edition – An enlarged copy of the regular print edition. Learners who use the large print edition should be allowed to mark their answers on a large print answer sheet.
3. Repeated Directions – The test administrator may repeat the directions for learners who have difficulty following or attending to directions.
4. Assistive Technology – Can include but is not limited to a computer, tape recorder, calculator, abacus, grip for a pencil, visual magnification device, communication device, mask or marker to maintain place, speech synthesizer, and/or electronic reader.
5. Answers Recorded – If unable to write, provisions must be made for the test administrator to record the learner's answers on the scorable answer document. Scribes and others supporting a learner's test-taking must be neutral in responding to the learner during test administration. Assistance in test administration must not give away the answers. The learner's responses must accurately represent their own choices.
6. Extended Time/Adjusted Time – Time may be adjusted for certain learners, such as those who have short attention spans or who may be unable to concentrate for long periods of time on a given task. The test administration time may have to be altered considerably to allow for intermittent short breaks during the testing period, or it may be determined appropriate to administer the test in a number of short sessions. Testing may also be stopped and continued at a later time if a learner's behavior interferes with testing. The elapsed time must be documented and the test administrator must closely monitor that test security is maintained. The time of day the test is administered may also be adjusted.
7. Communication Assistance – A test administrator who is fluent in the cuing or signing modality routinely used by the learner should be available to repeat or clarify test directions.

Detailed information about accommodations and alternate test forms can be found on the publishers' websites (listed in the General Information section of this policy).

Assessment scale scores for individuals who are provided accommodations should be referenced according to the same standards as participants who are tested without an accommodation; however, assessment

¹⁷ Accommodation requirements included in Individual Educational Plans or 504 Plans for in-school youth must be followed, and may be relevant documentation for determining reasonable accommodations for individuals other than in-school youth.

administrators must document participant use of accommodations (e.g. the examinee scored at the ABE Level 5 in the math assessment when permitted to use a calculator).

Unless making the modification would fundamentally alter¹⁸ the nature of the assessment, the assessment administrators must also make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability. Assessment administrators must take into consideration both the principles of standardization (e.g. test administration procedures required by test publishers) and inclusion for all participants and must document accommodation requests and any meetings regarding the disposition of requests in accordance with Section 188 rules.

In those circumstances where a WIOA Title I or II provider believes that the proposed accommodation would cause undue hardship,¹⁹ the provider has the burden of proving that the accommodation would result in such hardship. The decision must be accompanied by a written statement of the provider's reasons for reaching that conclusion. The provider must provide a copy of the statement of reasons to the individual or individuals who requested the accommodation. If a requested accommodation would result in undue hardship, the provider must, after consultation with an individual with a disability (or individuals with disabilities), take any other action that would not result in such hardship, but would nevertheless ensure that, to the maximum extent possible, individuals with disabilities receive the service provided.

REQUIRED DOCUMENTATION

In order for a program participant to secure a requested accommodation, they must provide evidence to document their disability. The documentation must include a comprehensive evaluation, a specific diagnosis, and objective evidence of a substantial functional limitation. The diagnostic report must list specific recommendations for accommodation(s), as well as a detailed explanation of why each accommodation is recommended. The evaluator(s) must describe the impact the diagnosed disability has on a specific major life activity as well as the degree of recommendations with specific test results or clinical observations. A qualified professional whose credentials are appropriate to the disability must make the evaluation. The name, title, and professional credentials (e.g., degrees, areas of specification, license or certification, employment) should be clearly stated in the documentation.

If a program participant is eligible for accommodations, the program must cover costs associated with the recommended accommodations. For additional information on assessment administration and recommended accommodations for qualified individuals in need of accommodations, see the [*Maryland Procedural Manual: Basic Skills and English Language Acquisition Assessment Practices*](#).

¹⁸ Per 29 CFR 38.4, [Definitions](#), "fundamental alteration" means: (1) A change in the essential nature of a program or activity, including but not limited to an aid, service, benefit, or training; or (2) A cost that a provider can demonstrate would result in an undue burden.

¹⁹ Per 29 CFR 38.14, [Reasonable accommodations and reasonable modifications for individuals with disabilities](#), "undue hardship" means significant difficulty or expense incurred by a WIOA Title I or II provider, when considered in light of a variety of specific factors listed in the law.

REPORTING AND RECORD RETENTION

REPORTING

Programs must consistently collect and enter assessment data into the appropriate MD Labor database in a timely manner. WIOA Title I program staff serving adults, dislocated workers, and youth must enter assessment data in the Maryland Workforce Exchange (MWE) database within 14 business days of activity. WIOA Title II MIS staff must enter assessment data in the LACES system monthly, at minimum.

RECORD RETENTION

In line with DWDAL's *Privacy and Data Security Policy*, MD Labor requires Local and State partners to maintain participant-level data for specific timeframes according to the type of record, including three years for workforce program data, seven years for fiscal data, and five years for adult education data, or until all audit and litigation issues are resolved, whichever is later. If any litigation, claim, or audit is initiated before the expiration of the standard retention period, records then must be retained until all litigation, claims, or audit findings involving the records have been resolved and final action has been taken.

To guard against identity theft, protect the personal information of program participants, and meet the legal requirements of FERPA, WIOA Title I program staff and Title II service providers must strictly adhere to the data security practices stated in this policy issuance. Intake and assessment forms, related paperwork, and other documents that may contain information such as learners' Social Security numbers must be secured in locked files, and should be shredded or otherwise appropriately destroyed after the standard retention period.

MONITORING

The State of Maryland acknowledges that the USDOL and the United States Department of Education have the authority to monitor and assess the use of ABE and ESL assessments to ensure that Federal awards are used for authorized purposes in compliance with Final Rules, federal regulations, and State policies, and that those laws and regulations are enforced properly.

To ensure that policies are being followed and expectations are being met, WIOA Title I program staff and Title II service providers should also expect DWDAL to conduct program monitoring according to DWDAL's Monitoring policy.²⁰ DWDAL's Office of Monitoring and Compliance evaluates whether WIOA Title I program staff and Title II service providers have followed program enrollment rules.

²⁰ All policy issuances are available on DWDAL's Policy Issuance web page at <http://www.labor.maryland.gov/employment/mpi/>.

FAIR PRACTICES AND ACCESSIBILITY

It is the policy of MD Labor that all persons have equal opportunity and access to services and facilities without regard to race, religion, color, sex (including pregnancy, childbirth and related medical conditions, transgender status, gender identity, and sexual orientation), marital status, genetic information, age, national origin or ancestry (including Limited English Proficiency), disability, veteran status or political affiliation or belief. Participants in WIOA Title I and Title II programs with disabilities who may need accommodations should request assistance in advance of the scheduled services from the program staff or service provider with whom they will be working to secure the necessary support.

MD Labor is further committed to ensuring program participants with Limited English Proficient (LEP) have access to necessary language services. To learn more about the interpreter and translation services available to participants, refer to the Language Access Plan²¹ jointly published by DWDAL and the MD Labor Division of Unemployment Insurance. The plan includes contact information for Language Access Coordinators who are responsible for arranging requested annual trainings, maintaining and posting a log of multilingual staff, and providing guidance on the use of assistive technologies.

²¹ Available at: <https://www.labor.maryland.gov/employment/wioa-access.pdf>.

REFERENCES

LAW

- [Workforce Innovation and Opportunity Act \(WIOA\)](#), 29 U.S.C. § 3101 et seq. (2015); and
- [Family Educational Rights & Privacy Act \(FERPA\) of 1974](#), 20 U.S.C. § 1232g.

REGULATION

- 29 CFR § 38, “[Implementation of the Nondiscrimination and Equal Opportunity Provision of the Workforce Innovation and Opportunity Act](#),”
- 29 CFR § 97.42, “[Retention and access requirements for records](#),”
- 29 CFR § 95.53, “[Retention and access requirements for records](#),”
- 34 CFR § 463.35-463.38 “[What is Integrated Education and Training?](#),”
- 34 CFR § 462, “[Measuring Educational Gain in the National Reporting System for Adult Education](#),”
- 34 CFR § 362 and 463, “[Programs and Activities Authorized by the Adult Education and Family Literacy Act \(Title II of the Workforce Innovation and Opportunity Act\)](#),”
- 34 CFR § 99, “[Family Educational Rights and Privacy Act regulations](#),”
- 34 CFR § 80.40, “[Monitoring and reporting program performance](#),”
- Federal Register – Volume 89, No. 119, page 51877 [Tests Determined to be Suitable for Use in the National Reporting System for Adult Education](#), dated June 20, 2024;
- Federal Register – Volume 89, Number 53, page 19307 [Tests Determined to be Suitable for Use in the National Reporting System for Adult Education](#), dated March 18, 2024;
- Federal Register – Volume 88, No. 133, page 44784, [Tests Determined to be Suitable for Use in the National Reporting System for Adult Education](#), dated July 13, 2023;
- Federal Register – Volume 87, No. 184, page 58078, [Tests Determined to be Suitable for Use in the National Reporting System for Adult Education](#), dated September 23, 2022;
- Federal Register – Volume 86, Number 201, page 58258 [Tests Determined to be Suitable for Use in the National Reporting System for Adult Education](#), dated October 21, 2021;
- Federal Register – Volume 85, Number 153, page 47952 [Tests Determined to be Suitable for Use in the National Reporting System for Adult Education](#), dated August 17, 2020;
- Federal Register – Volume 83, Number 45, page 8322, [Tests Determined to be Suitable for Use in the National Reporting System for Adult Education](#), dated March 7, 2019;
- Federal Register – Volume 83, Number 184, page 47910, [Tests Determined to be Suitable for Use in the National Reporting System for Adult Education](#), dated September 21, 2018;
- Federal Register – Volume 83, Number 24, page 5087, [Tests Determined to be Suitable for Use in the National Reporting System for Adult Education](#), dated February 5, 2018;
- Federal Register – [Volume 80, Number 73](#), page 20574, dated April 16, 2015 (Joint NPRM Proposed Rules); and
- [WIOA Final Regulations](#) (Federal Register Vol. 81, No. 161, August 19, 2016).

FEDERAL GUIDANCE

- TEGL 23-19, Change 2, “[Guidance for Validating Required Performance Data Submitted by Grant Recipients of U.S. Department of Labor \(DOL\) Workforce Programs](#),” dated May 12, 2023;

- TEGL 10-16 Change 3, “[Performance Accountability Guidance for Workforce Innovation and Opportunity Act \(WIOA\) Core Programs](#),” dated June 11, 2024;
- TEGL 21-16, Change 1, “[Third Workforce Innovation and Opportunity Act \(WIOA\) Title I Youth Formula Program Guidance](#),” dated July 30, 2021;
- TEGL 7-18, “[Guidance for Validating Jointly Required Performance Data Submitted under the Workforce Innovation and Opportunity Act \(WIOA\)](#),” dated December 19, 2018;
- TEGL 19-16, “[Operating Guidance for the Workforce and Innovation Opportunity Act](#),” dated March 1, 2017;
- TEGL 4-15, “[Vision for the One-Stop Delivery System under the Workforce Innovation and Opportunity Act \(WIOA\)](#),” dated August 13, 2015; and
- TEGL 39-11, “[Guidance on Handling and Protection of Personally Identifiable Information \(PII\)](#),” dated June 28, 2012.

OTHER REFERENCES

- Maryland Procedural Manual: Basic Skills and English Language Acquisition Assessment Practices (<http://www.labor.maryland.gov/gedmd/resources.shtml>);
- Annual Schedule for Adult Education Data Entry (<https://labor.maryland.gov/lwis/litworks/mdadultedannualdataentryschedule.pdf>)
- Literacy Works website (<https://labor.maryland.gov/lwis>);
- NRS website (<http://www.nrsweb.org>);
- CASAS website (<http://www.casas.org>);
- TABE website (<http://tabetest.com>);
- WIOA Technical Document 2016-01, Definitions for WIOA Implementation; and
- National Reporting System, [State Assessment Policy Guidance](#), dated August 2024.