

<b>EMPLOYMENT AND TRAINING ADMINISTRATION</b> <b>ADVISORY SYSTEM</b> <b>U.S. DEPARTMENT OF LABOR</b> <b>Washington, D.C. 20210</b>	<b>CLASSIFICATION</b> SCSEP
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**ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 11-17**

**TO:** SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM  
 GRANTEES  
 STATE GOVERNORS  
 STATE WORKFORCE ADMINISTRATORS  
 STATE WORKFORCE LIAISONS  
 STATE AND LOCAL WORKFORCE BOARD EXECUTIVE  
 DIRECTORS AND CHAIRS

**FROM:** ROSEMARY LAHASKY  
 Deputy Assistant Secretary 

**SUBJECT:** Senior Community Service Employment Program State Plan Modifications

1. **Purpose.** The purpose of this Training and Employment Guidance Letter (TEGL) is to provide Senior Community Service Employment Program (SCSEP) states, territories, and outlying areas with guidance for submission of two-year modifications to SCSEP Stand-Alone State Plans, including the submission process and deadline for submission. Note that this guidance pertains only to states that submitted a SCSEP Stand-Alone State Plan for Program Years (PY) 2016-2019. States that included SCSEP as part of a Unified or Combined State Plan for PY 2016-2019 must refer to TEGL 06-17, "Modification Requirements for Workforce Innovation and Opportunity Act (WIOA) Unified and Combined State Plans" for instructions.

2. **References.**

- Older Americans Act, as amended in 2006, Public Law 106-501 Section 503(a)(1);
- Older American Act (OAA), as reauthorized, P.L. 114-144 April 19, 2016;
- SCSEP Final Rule, 20 CFR 641.302-365 (September 10, 2010);
- Workforce Innovation and Opportunity Act (WIOA) P.L. 113-128 (July 22, 2014);
- Joint Rule for Unified and Combines State Plans, Performance Accountability, and the One-Stop System Joint Provisions; Final Rule 80 FR 20574 (April 16, 2015);
- TEGL 14-15 (03/04/2016) *Workforce Innovation and Opportunity Act (WIOA) Requirements for Unified and Combined State Plans*;
- TEGL 16-15 (03/25/2016) *Four-Year SCSEP State Plan Requirements for Program Years 2016-2019*;
- Training and Employment Notice (TEN) 21-16 (12/05/2016) *Workforce Innovation and Opportunity Act (WIOA) Regional and Local Planning and Local Board Responsibilities Questions and Answers (Q&A)*;

<b>RESCISSIONS</b> TEGL 08-14	<b>EXPIRATION DATE</b> Continuing
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- TEGL 15-16 (01/17/2017) *Competitive Selection of One-Stop Operators*;
- TEGL 16-16 (01/18/2017) *One-Stop Operations Guidance for the American Job Center Network*;
- TEGL 16-16, Change 1 (06/16/2017) *Change 1 to Training and Employment Guidance Letter (TEGL) 16-16 One-Stop Operations Guidance for the American Job Center Network*; and
- Interim Final Rule, Federal Register, Vol. 82, No. 230 pg. 56869 (December 1, 2017).

### 3. **Background.**

In order to receive SCSEP funds, the OAA requires each state to submit a State Plan that includes a four-year strategy for the statewide provision of community services and other authorized activities for eligible individuals under the SCSEP. The OAA also requires that each state submit modifications to the State Plan not less often than every two years.

Similarly, WIOA requires States to submit State Plans every four years to the Departments of Labor, Education, and Health and Human Services outlining their workforce development activities. Every two years, the Governor is required to review the four-year State plan and submit modifications for consideration and approval.

In Program Year (PY) 2016, per TEGL 16-15, SCSEP grantees had the option of submitting a SCSEP Stand-Alone State Plan as an independent document or as part of a Combined State Plan with other WIOA programs. As noted above, states that included SCSEP in a Combined State Plan for PY 2016-2019 must refer to TEGL 06-17 for instructions for modifying their State Plan. For states that submitted a SCSEP Stand-Alone State Plan for PY 2016-2019 please see the instructions provided below and attached.

Please note that the Department has issued an Interim Final Rule (IFR) that updates the SCSEP regulations as required by the 2016 OAA Reauthorization Act. The overall purpose of the IFR is to align the SCSEP performance indicators with WIOA core measures, with some distinctions. The IFR also makes minor, non-substantive changes to Subpart C and the sections relating to State Plans, including sections 641.300, 302, 315, 320, 325, 335, and 370. While the OAA and the IFR encourage coordination with WIOA programs, the IFR retains the provision allowing States to submit SCSEP Stand-Alone State Plans as an independent document. While the IFR changes affect the requirements for future SCSEP State Plan submissions, they do not affect the submissions of the two-year modifications for PY 2016-2019 State Plans.

Whether States and territories are submitting modifications for Combined or Stand-Alone plans, they should review all the SCSEP regulations and the TEGLS listed above for clarification of the requirements and expectations of State Plan modification submissions for SCSEP.

- ### 4. **Required Updates to SCSEP State Plans.** SCSEP regulations require that either the Governor or the highest state governmental official review and submit an update to the State Plan every 2 years (20 CFR 641.340(a)).

SCSEP grantees must make the modified plan available for public comment before submission (20 CFR 641.345(c)). The regulations allow but do not require the state to seek the advice and recommendations of individuals and organizations affected by changes to the plan (20 CFR 641.345(d)).

PY 2016 SCSEP State Plans covered planned activities for activities and services during program years 2016-2019. For detailed SCSEP State Plan modification requirements, please see Attachment I. Modifications must address all of the areas in Attachment I that are applicable. Below is a summary of the areas in which states must report any changes:

- Changes to references: any WIA citations in the PY 2016 plan must be changed and replaced with appropriate WIOA citations.
- Changes in long-term industry or occupational outlooks that affect employment opportunities for older workers (20 CFR 641.302(d)).
- Changes in long-term employment projections that affect the types of unsubsidized jobs available for SCSEP participants and the types of skill training they receive (20 CFR 641.302(d)).
- Changes in current or projected employment opportunities in the state and the types of skills possessed by eligible individuals (20 CFR 641.325(c)).
- Changes in the localities served or changes in the characteristics of the populations served by SCSEP (20 CFR 641.325 (d)).
- Changes in how SCSEP coordinates with other programs including the following:
  - 1) Planned actions to coordinate activities of SCSEP grantees with WIOA Title I programs, including plans for using the WIOA One-Stop delivery system and its partners to serve individuals aged 55 and older. (20 CFR 641.302(g), 641.325(e))
  - 2) Planned actions to coordinate SCSEP grantee activities with the state activities being carried out under the other titles of the Older Americans Act (20 CFR 641.302(h)).
  - 3) Planned actions to coordinate SCSEP with other private and public entities and programs that serve older Americans, such as community and faith-based organizations, transportation programs, and programs for those with special needs or disabilities (20 CFR 641.302(i)).
  - 4) Planned actions to coordinate SCSEP with other labor market and job training initiatives (20 CFR 641.302(j)).
  - 5) Actions to ensure that SCSEP is an active partner in the one-stop delivery system and the steps the state will take to encourage and improve coordination with the One-Stop delivery system (20 CFR 641.335).
- Changes in the state's long-term strategy for engaging employers to develop and promote opportunities to place SCSEP participants in unsubsidized employment (20 CFR 641.302(e)).
- Changes in any of the requirements listed in 20 CFR 641.345(b), such as changes in Federal law or policy that affect the state plan's functions; changes in performance indicators, or organizational responsibilities; changes in grantee or grantee functions; or when the state has failed to meet performance goals and must submit a corrective action plan.

5. **Soliciting Public Comment and Submitting Modifications to the SCSEP Portions of State Plans.** States and territories that submitted PY 2016-2019 SCSEP Stand-Alone State Plans may describe their updates in a separate document or can alter the original document and submit with track changes. As noted above, states that submitted the SCSEP State Plan as part of a WIOA Combined State Plan must refer to TEGL 06-17 for instructions. The state grantee should follow established state procedures to solicit and collect public comments on the modified State Plan.

States and territories must submit their SCSEP Stand-Alone State Plan modifications via email with “State Plan Modification” in the subject line to [grants.scsepdocs@dol.gov](mailto:grants.scsepdocs@dol.gov) on or before April 09, 2018. The Governor or the Governor’s designee submits SCSEP State Plan modifications. If the designee is submitting the plan, the State must attach a letter from the Governor naming his or her designee if ETA does not already have a copy on file. Grantees that received a conditional approval for their PY 2016-2019 SCSEP Stand-Alone State Plan and have not responded to date must submit a modification addressing those conditions. If there are no modifications to the SCSEP Stand-Alone State Plan at this time, the state must submit a letter from the Governor or Governor’s designee stating that there are no modifications at this time. States should send a copy via email of their modification submission to the appropriate Federal Project Officer (FPO) at the same time.

5. **Inquiries.** Please direct questions to the appropriate regional FPO.

6. **Attachment.**

- Required Content of the SCSEP State Plan and Two-year Modifications

## ATTACHMENT

### Required Content of the SCSEP State Plan and Two-year Modifications

SCSEP grantees were required at minimum to address the following programmatic areas in their SCSEP Stand-Alone State Plan. In the modification, grantees must comprehensively cover any changes in the following elements.

- I. Economic Projections and Impact. If any changes have occurred in this area, states must:
  - A. Discuss long-term projections for jobs in industries and occupations in the state that may provide employment opportunities for older workers. (20 CFR 641.302(d)). Alternately, states may discuss this in the economic analysis section of strategic plan, if submitting a Unified or Combined State Plan.
  - B. Describe how the long-term job projections discussed in the economic analysis section of strategic plan relate to the types of unsubsidized jobs for which SCSEP participants are trained and the types of skills training to be provided. (20 CFR 641.302(d))
  - C. Discuss current and projected employment opportunities in the state (such as by providing information available under §15 of the Wagner-Peyser Act (29 U.S.C. 491-2) by occupation), and the types of skills possessed by eligible individuals. (20 CFR 641.325(c)).
  
- II. Service Delivery and Coordination. If any changes in service delivery and coordination states must:
  - A. Provide a detailed description of what actions will be taken to coordinate SCSEP with other programs. Alternately, States may discuss this in the state strategies section of the strategic plan, but regardless of its placement in document, this section must include plans for:
    1. Actions to coordinate activities of SCSEP grantees with WIOA Title I programs, including plans for using the WIOA one-stop delivery system and its partners to serve individuals aged 55 and older. (20 CFR 641.302(g), 641.325(e))
    2. Actions to coordinate activities of SCSEP grantees with the activities to be carried out in the State under the other titles of the OAA. (20 CFR 641.302(h))
    3. Actions to coordinate SCSEP with other private and public entities and programs that provide services to older Americans, such as community and faith-based organizations, transportation programs, and programs for those with special needs or disabilities. (20 CFR 641.302(i))
    4. Actions to coordinate SCSEP with other labor market and job training initiatives. (20 CFR 641.302(j))
    5. Actions the State will take to ensure that SCSEP is an active partner in the one-stop delivery system and the steps the State will take to encourage and improve coordination with the one-stop delivery system. (20 CFR 641.335)
    6. Efforts the State will make to work with local economic development offices in rural locations.

- B. Describe the long-term strategy for engaging employers to develop and promote opportunities for the placement of SCSEP participants in unsubsidized employment. (20 CFR 641.302(e)) (Alternately, the State may discuss this in the State strategies section of strategic plan if submitting a Combined Plan.)
- C. Describe the long-term strategy for serving minorities under SCSEP. (20 CFR 641.302(c))
- D. Provide a list of community services needed and the exact places where these services are most needed. Specifically, the plan must address the needs and location(s) of those individuals most in need of community services and the groups working to meet their needs. (20 CFR 641.330)
- E. Describe the long-term strategy to improve SCSEP services, including planned long-term changes to the design of the program within the State, and planned changes in the use of SCSEP grantees and program operators to better achieve the goals of the program. This may include recommendations to the Department as appropriate. (20 CFR 641.302(k))
- F. Describe a strategy for continuous improvement in the level of performance for SCSEP participants' entry into unsubsidized employment, and to achieve, at a minimum, the levels specified in OAA Section 513(a)(2)(E)(ii). (20 CFR 641.302(f))

III. Location and Population Served, including Equitable Distribution (ED). States must describe any changes in location, population and ED:

- A. Describe the localities and populations for which projects of the type authorized by title V are most needed. (20 CFR 641.325 (d))
- B. List the cities and counties where the SCSEP project will take place. Include the number of SCSEP authorized positions and indicate if and where the positions changed from the prior year.
- C. Describe any current slot imbalances and proposed steps to correct inequities to achieve equitable distribution.
- D. Explain the state's long-term strategy for achieving an equitable distribution of SCSEP positions within the state that moves positions from over-served to underserved locations within the State in compliance with 20 CFR 641.365 and;
  - 1. Equitably serves both rural and urban areas (20 CFR 641.302(a)(2) and
  - 2. Serves individuals afforded priority for service under 20 CFR 641.520. (20 CFR 641.302(a), 641.365)
- E. Provide the ratio of eligible individuals in each service area to the total eligible population in the state. (20 CFR 641.325(a))
- F. Provide the relative distribution of eligible individuals who:
  - 1. Reside in urban and rural areas within the state.
  - 2. Have the greatest economic need.
  - 3. Are minorities.
  - 4. Are limited English proficient.
  - 5. Have the greatest social need. (20 CFR 641.325(b))

Describe the steps taken to avoid disruptions to service for participants to the greatest extent possible, when positions are redistributed, as provided in 20 CFR 641.365; when new Census or other reliable data becomes available; or when there is over-enrollment for any other reason. (20 CFR 641.325(i), 641.302(b))