

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION SCSEP
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ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 22-19

TO: SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM
GRANTEES

FROM: JOHN PALLASCH /s/
Assistant Secretary

SUBJECT: Program Year (PY) 2020 Planning Instructions and Allotments for Senior Community Service Employment Program (SCSEP) State, Territory, and National Grantees; and Implementation of SCSEP Provisions of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act)

1. **Purpose.** This Training and Employment Guidance Letter (TEGL) provides SCSEP state, and territory grantees with PY 2020 SCSEP allotments and the application instructions for PY 2020 grant submissions.

This TEGL also provides current SCSEP national grantees with allotments and application instructions for the first four months of PY 2020; the TEGL provides only partial-year funding for national grantees because PY 2020 is a competition year, and these funds will cover the transition period leading up to the competition effective date. This TEGL also provides information on the transition to grants that will be awarded under the SCSEP Funding Opportunity Announcement (FOA).

Finally, this TEGL provides implementation guidance for SCSEP provisions of the CARES Act.

2. **Action Requested.** To apply for PY 2020 grant funds, SCSEP grantees must follow the instructions in this TEGL and submit all documents through grants.gov as soon as possible, and no later than June 19, 2020.

3. **Summary and Background.**

- a. **Summary.** This TEGL provides grant planning guidance to SCSEP grantees for PY 2020, including the number of authorized positions and associated allotments for the program year and ETA's requirements for obligating funding to grantees. This TEGL also provides implementation guidance for SCSEP provisions of the CARES Act.

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b. Background. SCSEP funds are allocated by a formula set forth in Sec. 506 of the Older Americans Act (OAA), and SCSEP operates on a program year basis from July 1 through June 30 of the following year. The Further Consolidated Appropriations Act of 2020, Pub. L. 116-94, (from this point forward, referred to as “the Act”) Division A, Section 107 allows the Secretary to reserve 0.75 percent of the appropriated funds for evaluations. Any funds not utilized for these reserve activities will be distributed by formula to state, territorial, and national grantees. In PY 2020, after reducing the appropriation by \$4,599,000 for set asides, \$400,401,000 is available for SCSEP program activities. This TEGL covers the four-month national grantee transition period totaling \$104,075,209.

4. Annual Grant Instructions This section provides detailed submission instructions for state and territory formula grantees, as well as current national grantees. Note that in some sections, this TEGL provides current national grantees with different instructions, since the funds provided under this TEGL only cover the four-month transition period preceding the November 1, 2020 effective date for the PY 2020 national grant competition.

a. Program Allotments (Attachment I) – *All Grantees*. Attachment I details the funding amounts and authorized positions for each grantee in PY 2020. The allotments reflect set-asides authorized by the Act.

b. Grant Application Requirements. Grantees must submit a complete grant package in order to receive PY 2020 funds. ETA will not be able to timely obligate funds to any grantee that fails to provide all of the information outlined in this guidance. Additionally, grantees must ensure that the components of the grant application package are consistent with each other.

i. Application and Budget Information Form – *All Grantees*. Grantees must submit current versions of the SF-424 Application for Federal Assistance and the SF-424A Budget Information Form. Budgets must include the non-Federal share of at least 10 percent of the total cost (OAA Sec. 502(c)(1)). The budget must also reflect organizational information provided in the Program Narrative, “Organizational Structure.” These interactive documents and accompanying instructions are available at the following link¹: <https://www.grants.gov/forms/sf-424-family.html>.

ii. Geographic Areas – *All Grantees*. Item 14 of the SF-424 requires a list of the “Areas Affected by Project.” Grantees must list the states and counties the grant will serve, and must use www.scseped.org to validate that information. Grantees can export the data for the service area(s) to an Excel spreadsheet and attach the list as a separate document.

iii. Budget Narrative (Attachment II) – *All Grantees*. Grantees must submit a budget narrative that provides the information outlined in Attachment II, including:

- A detailed description of costs associated with each line item on the SF-424A Budget Information Form;

¹ Choose the SF-424 and SF-424A that note “Agency Owner” as “Grants.gov”.

- Both the percentage and total dollar amount allocated to participant wages and fringe benefits as described at 20 CFR 641.565;
- Both the percentage and total dollar amount allocated to administrative costs as described at 20 CFR 641.856, including an explanation in the budget narrative regarding whether the grantee is requesting to increase its administrative cost limitation as described below under “Increase of the Administrative Cost Limitation” and in Attachment V; and
- Infrastructure contributions to the workforce system in accordance with WIOA Sec. 121(h).

iv. Program Narrative.

- ***State and Territory Grantees (Attachment III.a):*** Attachment III.a requests information regarding services to minorities, as well as the grantee’s organizational structure and monitoring plans. If the grantee already provided all this information in the state plan, they may note that in their submission, which ETA will then validate; missing information from the State Plan will require further submissions. Grantees may also simply copy the language from the state plan for submission here.
- ***Current National Grantees (Attachment III.b):*** Other than the Budget Narrative, current national grantees are not required to submit a new program narrative for the four-month period covered by this TEGL. Rather, a generic statement of work (see Attachment III.b) addressing the programmatic activities for four months will be incorporated into the grant agreement.

v. Programmatic Assurances (Attachment IV) – All Grantees. Grantees must review the programmatic assurances in Attachment IV that outline program requirements based on the OAA and the SCSEP regulations at 20 CFR Part 641. The signature of the Authorized Representative on the SF-424 also certifies that the organization agrees to adhere to the programmatic assurances listed in Attachment IV (note that grantees are not required to separately sign and submit Attachment IV).

vi. Optional Requests (Attachment V).

- ***State and Territory Grantees:*** State and territory grantees may submit one or more optional requests according to the instructions in Attachment V. As instructed in Attachment V, please provide such requests in a separate, clearly-titled document.
- ***Current National Grantees:*** For current national grantees that choose to submit optional special requests for the first four months of PY 2020, the Department strongly encourages submissions that are consistent with these grantees’ currently approved special requests from PY 2019. This will enable current grantees to continue providing essentially the same services for an additional four months during the transition, and will allow an expedited review of such requests by the Department. Note that such optional special requests made at this time must be based on funding for four months. After grant awards are made, successful grantees may choose to submit optional special requests for the remainder of PY 2020

(November 1, 2020 through June 30, 2021) and will receive subsequent instructions for doing so.

c. Notices of Award. ETA will issue Notices of Award with new grant numbers and allocation amounts to SCSEP grantees for PY 2020.

d. Office of Management and Budget (OMB) Approval. As required by the Paperwork Reduction Act, OMB has reviewed and approved this information collection (OMB Control Number 1205-0040, which expires on November 30, 2021). Under 5 CFR 1320.5(b), an agency cannot conduct, sponsor, or require a response to a collection of information unless the collection displays a valid OMB Control Number.

Transition Instructions for National Grantees. ETA will issue new grants to current grantees for the first four months of PY 2020 to continue services to their current authorized positions in their current areas. As noted above, these new grants will be four months' proportional share, i.e. 33 percent, of the total PY 2020 national grantee funding, to serve clients during the first four months (July 1, 2020, through October 31, 2020). The remaining PY 2020 funds will be allocated after the announcement of the FOA results.

After ETA announces the results of the FOA, any current national grantees that applied under the competition and are successful will receive a modification of the new grant for the remainder of the program year, November 1, 2020 through June 30, 2021. Current grantees that are not successful will be required, as a condition of the grant award, to assist in transition activities during the remainder of the first four months to ensure the least disruption for participants.

Implementation of SCSEP Provisions of the CARES Act – All Grantees. The CARES Act (Public Law 116-136) was signed into law on March 27, 2020 and responds to the COVID-19 (i.e., coronavirus disease 2019) outbreak. The new law, under Sec. 3223, “Continuity of Service and Opportunities for Participants in Community Service Activities under Title V of the Older Americans Act of 1965,” provides the Secretary of Labor (the Secretary) authority to allow certain administrative flexibilities to help SCSEP grantees respond to the effects of the COVID-19 public health emergency. ETA is implementing the SCSEP-related provisions of the CARES Act as follows:

a. Extension of Individual Durational Limits: The CARES Act Sec. 3223(1)(A) provides the Secretary authority to allow individuals participating in SCSEP projects as of March 1, 2020 to extend their participation for a period that exceeds the 48-month durational limit described in OAA Sec 518(a)(3)(B)(i) if such an extension is appropriate due to the effects of the COVID-19 public health emergency.

Given the widespread and ongoing impact of the emergency on SCSEP grantees and participants, ETA finds that such extensions of individual durational limits are appropriate for all SCSEP grantees in all areas of the country. Accordingly, this TEGL extends the individual durational limit by 12 months for all SCSEP participants who were enrolled in SCSEP as of March 1, 2020, and for all SCSEP participants who enroll during the six-month enrollment period from March 1, 2020 through August 31, 2020. Note that this extension of individual durational limits is in addition to any other

extensions provided to individuals under 20 CFR 641.570(b). Grantees are not required to submit any documentation to implement this provision; the change is automatically effective retroactive to March 1, 2020 as described above. The change will be operationalized in the SCSEP performance and reporting system as soon as practicable, and ETA will provide grantees with additional information through technical assistance.

Prior to August 31, 2020, ETA will reassess the status of the impact of COVID-19; if ETA determines that lengthening the six-month enrollment period described above is appropriate, it will provide additional guidance to SCSEP grantees in a change to this TEGL.

- b. Increase of the Average Participation Cap:** The CARES Act Sec. 3223(1)(B) provides the Secretary authority to increase the average participation cap for eligible individuals applicable to grantees as described in OAA Sec. 502(b)(1)(C) of the OAA to a cap that is appropriate due to the effects of the COVID-19 public health emergency.

For the same reasons described above in “Extensions of Individual Durational Limits,” ETA finds that such an increase on the average participation cap is appropriate for all SCSEP grantees in all areas of the country. Accordingly, this TEGL increases the average participation cap for all grantees by an amount that accounts for the individual durational limit extensions described above. Grantees are not required to submit any documentation to implement this provision; the change is automatically effective beginning in PY 2019 and will remain in effect as long as necessary to account for the extensions of individual durational limits described above.

- c. Increase of the Administrative Cost Limitation:** The CARES Act Sec. 3223(2) provides the Secretary authority to increase the administrative costs for a project as described in OAA Sec. 502(c)(3) to an amount not to exceed 20 percent of the grant amount if such an increase is appropriate due to the effects of the COVID-19 public health emergency.

Accordingly, this TEGL provides SCSEP grantees the opportunity to request an increase to their administrative cost limitation to up to 20 percent of the grant amount if the grantee can demonstrate that such an increase will help it mitigate the impact of the COVID-19 public health emergency on its operations, employees, and/or participants. As noted above in the instructions for the Budget Narrative and in Attachment II, grantees should note in their Budget Narrative whether they plan to request the increased 20 percent cost limitation. To use this flexibility, grantees must request and obtain ETA’s approval according to the instructions in Attachment V, Optional Special Requests, addressing the justification requirements in 20 CFR 641.870.

- 5. Inquiries.** Please direct inquiries to the appropriate Regional Office.

6. References.

- OAA Reauthorization Act of 2016, Pub. L. 114-144 (April 19, 2016);
- Further Consolidated Appropriations Act of 2020, Pub. L. 116-94 (December 20, 2019);
- Coronavirus Aid, Relief, and Economic Security Act of 2020 (CARES Act), Pub. L. 116-136 (March 27, 2020)
- SCSEP Final Rule, 75 Federal Register (FR) 537864 (September 1, 2010), published at 20 CFR Part 641;
- TEGL 17-16, *Infrastructure Funding of the One-Stop Delivery System* (January 18, 2017);
- WIOA, Pub. L. 113-128, Sec. 121, Funding of One-Stop Infrastructure;
- Paperwork Reduction Act of 1995, Pub. L. 104-13 (May 22, 1995);
- SCSEP Performance Data Collection Approval (Office of Management and Budget No. 1205-0040) (expiration date November 30, 2021).
- OMB Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Final Rule, 78 FR 78589 (December 26, 2013), published at 2 CFR Part 200;
- TEGL 12-06, *Revised Income Inclusions and Exclusions and Procedures for Determining Senior Community Service Employment Program (SCSEP) Eligibility* (December 28, 2006);
- VOW (Veterans Opportunity to Work) to Hire Heroes Act of 2011, Pub. L. 112-56 (November 21, 2011);
- The Fair Labor Standards Act of 1938, as amended through Pub. L. 115-141 (March 23, 2018); and
- *2020 Federal Poverty Guidelines* 85 FR 3026 (January 15, 2020).
- The Social Security Act of 1935, as amended through Pub. L. 89-97 (July 30, 1965).

7. Attachments.

Attachment IA-IE:	Funding Allocations and Authorized Positions
Attachment II:	Budget Narrative Instructions
Attachment III.a:	Program Narrative Instructions for State and Territory Grantees
Attachment III.b:	Generic Program Narrative for Current National Grantees
Attachment IV:	Programmatic Assurances
Attachment V:	Optional Requests