

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION SCSEP
	CORRESPONDENCE SYMBOL OWI DNPTTA
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ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 6-21

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

FROM: ANGELA HANKS
Acting Assistant Secretary

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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 process and deadline for submission. Note that this guidance pertains only to states that submitted a SCSEP Stand-Alone State Plan for Program Year (PY) 2020-2023. States that included SCSEP as part of a Unified or Combined State Plan for PY 2020-2023 must refer to TEGL 4-21 “Modification Requirements for Workforce Innovation and Opportunity Act (WIOA) State Plans for Program Years (PYs) 2022 and 2023” for instructions.
2. **Action Requested.** States and territories must review their PY 2020 State Plan submissions and submit their SCSEP Stand-Alone State Plan modifications via email with “State Plan Modification” in the subject line to grants.scsepdocs@dol.gov on or before March 15, 2022. See Section 4 of this TEGL for detailed submission requirements.
3. **Summary and Background.**
 - a. Summary – This guidance provides instructions for states to submit two-year modifications to SCSEP Stand-Alone State Plans.
 - b. Background – In order to receive SCSEP funds, the Older Americans Act, as amended at 42 U.S.C. 3056 et seq. (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 than every two years.

RESCISSIONS TEGL 11-17 and TEGL 7-19	EXPIRATION DATE Continuing
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Similarly, WIOA requires states to submit State Plans every four years to the Departments of Labor and Education 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 2020, 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 2020-2023 must refer to TEGL 4-21 for instructions for modifying their State Plan. For states that submitted a SCSEP Stand-Alone State Plan for PY 2020-2023, please see the instructions provided below and attached. In PY 2020, 31 states submitted stand-alone State Plans.

4. SCSEP State Plan Modification Requirements.

- a. 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 two years (20 CFR 641.340(a)). For detailed SCSEP State Plan modification requirements, please see Attachment I. Modifications must address any changes to the elements in Attachment I, as applicable. Whether states and territories are submitting modifications for Combined or Stand-Alone plans, they should review all the SCSEP regulations and the TEGs listed in the Reference section below for clarification of the requirements and expectations of State Plan modification submissions for SCSEP.
- b. SCSEP Planning Priorities – In contemplating changes to the SCSEP State Plan elements listed in Attachment I, we recommend that states give particular emphasis to the following considerations:
 - *Changes in projected employment opportunities and economic conditions* – When states last submitted SCSEP State Plans in the spring of 2020, the COVID-19 pandemic and its significant disruptions to global and local economies had only just begun. As a result, it is particularly critical, for purposes of developing and submitting the SCSEP Two-Year State Plan modification, that states reassess economic and labor market information (LMI) and adjust strategies for what may now be a different set of growing and declining industries, occupations, and skills relevant to older workers.
 - *Flexible service-delivery strategies* – As states continue to recover from the disruptions of the COVID-19 pandemic, the Department reminds SCSEP grantees that they have the flexibility to implement service-delivery models that keep participants safe while still accomplishing the objectives of the program. In particular, such models may include the use of remote or telework arrangements for community service assignments, training, and other activities. As with any community service assignment, such arrangements still require grantees to ensure that the community service assignment provides adequate supervision, development of needed soft skills, provision of appropriate training aligned to participants’ Individual Employment Plans, and access to any hardware and connectivity necessary for the work assigned. Grantees implementing such

assignments must also ensure that all participants are served equitably, including those who are not able to take advantage of remote or telework arrangements.

- *Equity in service delivery* – States should examine which population groups experience inequities in access to and participation in SCSEP – particularly those populations identified in LMI analysis as having higher unemployment and lower earnings than the overall population, as well as those identified in the SCSEP Minority Report as having relatively lower rates of participation and/or achieving relatively lower outcomes. The Department encourages states to develop SCSEP service-delivery strategies that better address and promote equity in service design, recruitment, implementation, and support services that aim to provide equitable access and outcomes to all communities seeking access to SCSEP services.
 - *Outreach and services to formerly incarcerated individuals* – The Supporting Older Americans Act of 2020 amended the Older Americans Act to add formerly incarcerated individuals to the list of priority of service characteristics and includes them in the definitions of individuals with barriers to employment and most-in-need. The Department has provided additional guidance about these requirements in TEGL 17-20. As applicable in this Two-Year State Plan Modification, we advise SCSEP grantees to describe any plans to conduct outreach to and services for formerly incarcerated individuals as defined under TEGL 17-20.
- c. **Soliciting Public Comments** – 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 (see 20 CFR 641.315 for the list of such entities) except that States must seek the advice and recommendations of any national grantees operating in the State. The state grantee should follow established state procedures to solicit and collect public comments on the modified State Plan.
- d. **Submitting Two-Year SCSEP State Plan Modifications** – States and territories that submitted PY 2020-2023 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 4-21 for instructions. 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 on or before March 15, 2022. 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. Grantees that received a conditional approval for their PY 2020-2023 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. We recommend that states send a copy via email of their modification submission to the appropriate Federal Project Officer (FPO) at the same time.

5. **Inquiries.** Please direct inquiries to your FPO.

6. **References.**

- Older Americans Act (42 USC 3056, et seq.), as amended through Public Law 116-131.
- Training and Employment Guidance Letter (TEGL) 17-20 Senior Community Service Employment Program – Updated Guidance on Priority of Service, Durational Limits and State Plan Submissions (04/15/2021).
- SCSEP Final Rule, 20 CFR 641.302-365 (as amended December 1, 2017).
- TEGL 7-19, Senior Community Service Employment Program Four-Year State Plans (December 31, 2019).
- Workforce Innovation and Opportunity Act (WIOA) Pub. 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, Workforce Innovation and Opportunity Act (WIOA) Requirements for Unified and Combined State Plans (March 4, 2016).
- TEGL 10-19, Modification Requirements for Workforce Innovation and Opportunity Act (WIOA) State Plans for Program Years (PYs) 2020 and 2023 (February 3, 2020).

7. **Attachments.**

Attachment I: SCSEP State Plan Two-Year Modification Requirements

SCSEP State Plan Two-Year Modification Requirements

SCSEP grantees were required at minimum to comprehensively address the following programmatic elements in their SCSEP Stand-Alone Four-Year State Plan, with the exception of item III.F.6, which is a new requirement provided by the most recent amendments to the Older Americans Act (see P.L. 116-131, the Supporting Older Americans Act of 2020). In the Two-Year Modification, grantees must comprehensively cover any changes in the following elements. (20 CFR 641.340(a)).

I. Economic Projections and Impact

- 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 train and the types of skills training 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

- A. Provide a detailed description of what actions will be taken to coordinate SCSEP with other programs, including:
 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 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)
- 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 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)

- A. Describe the localities and populations most in need of the type of projects authorized by title V. (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 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)); and
 - 6. Formerly incarcerated individuals, as defined in TEGl 17-20.
- G. Describe the steps taken to avoid disruptions to service for participants to the greatest extent possible, in positions redistribution, 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))