

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION SCSEP
	CORRESPONDENCE SYMBOL OWI -DAS
	DATE December 31, 2007

ADVISORY : TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 16-07

TO: ALL SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) GRANTEEES

FROM: EMILY STOVER DeROCCO /s/
Assistant Secretary

SUBJECT: New State Plan Requirements

1. **Purpose.** To inform all state and national grantees about the new requirements for the State Plan (formerly known as the State Senior Employment Services Coordination Plan) occasioned by the enactment of the 2006 Older Americans Act (OAA) Amendments.
2. **Reference.** Section 503 of the 2006 OAA Amendments, Pub. L. 109-365, October 17, 2006; 20 CFR part 641, SCSEP Performance Accountability Interim Rule, 72 Fed. Reg. 35831 (June 29, 2007); 20 CFR part 641, SCSEP Final Rule (April 9, 2004); Training and Employment Guidance Letter (TEGL) 25-06.
3. **Background.** Section 503 of the 2006 OAA Amendments mandates significant changes to the former State Plan. In order to receive SCSEP funds, the law now requires the Governor or his/her designee 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. In addition, the new law maintains the State Plan requirements in the current SCSEP Final Rule. Accordingly, the Governor or his/her designee must also describe the planning and implementation process for SCSEP services in the State, taking into account the current relative distribution of eligible individuals and employment opportunities within the State.

The new State Plan is intended to foster both short-term and long-term coordination among the various national and state SCSEP grantees and sub-recipients operating within the State and to facilitate the efforts of key stakeholders, including State and Local Boards under the Workforce Investment Act (WIA), to work collaboratively through a participatory process to accomplish

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the SCSEP's goals. In addition, the new State Plan requirements emphasize the importance of increasing partnerships among grantees with other programs, initiatives and entities operating within the state. The State Plan is also intended to focus program resources where there is the greatest need relative to participants, host agencies and geographic areas. Due to the extensive changes required of grantees to meet the new four-year strategy requirement, the Department of Labor (the Department) issued TEGL 25-06 to delay implementation of the new State Plan requirements until Program Year (PY) 2008. Pursuant to TEGL 25-06, the approved PY 2006 State Plan will suffice for the balance of PY 2007, unless modifications are necessary as described in Section 7 below. A State Plan meeting the requirements of Section 5 of this TEGL must be submitted in accordance with the requirements of Section 9 of this TEGL on or before March 31, 2008.

4. **Delegation of Responsibility.** The Governor may delegate responsibility for developing and submitting the State Plan, provided that any such delegation is consistent with state law and regulations. To delegate responsibility, the Governor must submit to the Department a signed statement indicating the individual and/or organization that will be submitting the State Plan on his or her behalf.

5. **State Plan Requirements.** As provided at OAA sec. 503(a)(1), the State Plan must include a four-year strategy for the statewide provision of community service employment and other authorized activities for eligible individuals under the SCSEP. The four-year strategy requirement mandates that grantees operating within a state take a longer-term view of the SCSEP program than in prior State Plans, which were intended to reflect the state's strategies for a single year only. Beginning with PY 2008, the four-year strategy will cover PYs 2008-2011.

The four-year strategy must address the following particulars:

- The role of the SCSEP relative to other workforce development programs and initiatives in the state, as well as other programs and partners serving older workers;
- How the state and SCSEP grantees can coordinate with these other programs to maximize the services available to the SCSEP-eligible population;
- Projected changes in the state's demographics (particularly the number of older workers), economy and labor market;
- How the state plans to prepare participants for projected employment opportunities;
- How the state plans to increase participant placements in unsubsidized employment;

- How the state plans to improve SCSEP services in general;
- The basic distribution of SCSEP positions within the state;
- Plans for recruitment of and service to certain special populations within the state, i.e., those eligible older individuals who are most at-risk;
- Types of skills that eligible individuals need to develop to be employable in the state;
- Employer outreach activities;
- Community service needs; and
- Avoidance of disruptions in the provision of services relating to shifts in the location of eligible individuals within the state.

A complete outline of State Plan requirements is provided in Attachment I.

6. **Solicitation and Collection of Public Comments.** The Governor or his/her designee should follow established state procedures to solicit and collect public comments on the State Plan and must seek the advice and recommendations of certain organizations and individuals with expertise in older workers issues. (See sections 3 and 4 of Attachment I). The State Plan must describe the procedures used to obtain such advice and public comments (OAA sec. 503(a)(2)).

7. **Requirements for Modification of the State Plan.** Pursuant to 20 CFR part 641.345 modifications to the State Plan are required at any time when:
 - There are changes in Federal or state law or policy that substantially change the assumptions upon which the State Plan is based (except that the 2006 OAA Amendments are not applicable as a cause for modification as described in TEGl 25-06);
 - There are changes in the state's vision, strategies, policies, performance goals, or organizational responsibilities;
 - Grantees operating within the state have failed to meet their performance goals and must submit a corrective action plan;
 - There is a change in a grantee or grantees; or
 - There are substantial changes in the status of Memoranda of Understanding (MOUs) between grantees and their Local Workforce Investment Boards, including:
 - Establishment of a new MOU;
 - New grantees have been added to an existing MOU; and
 - An existing MOU has been changed from "single" to "blanket" or vice versa.

8. **Frequency of Submission.** At least every two years, the Governor or his/her designee must review the State Plan and submit an update to the Department for consideration and approval. States are encouraged to review their State Plan more frequently than every two years, making adjustments and submitting updates as circumstances warrant. Prior to submission of the updates to the State Plan, the Governor must seek the advice and recommendations of the individuals and organizations identified in OAA sec. 503(a)(2) about what, if any, changes are needed, and publish the changes to the State Plan for public comment.

The State Plan is designed to be a “living” document that will guide the strategic and ongoing operations of the SCSEP within the state.

9. **Schedule.** Grantees must provide the PY 2008-2011 State Plan requirements to the Department by March 31, 2008. The postmark or other certificate of mailing will establish the date of the submission. An original plus two copies must be sent by overnight mail to:

Ms. Alexandra Kielty
U.S. Department of Labor/ETA
Office of Workforce Investment
Division of Adult Services
Room S-4209
200 Constitution Avenue, N.W.
Washington, D.C. 20210

Required appendices to the State Plan are identified in Attachment I. A hard copy, e-copy, disk, or CD of the State Plan and required appendices should also be transmitted to the appropriate regional SCSEP contact as provided in Attachment 2.

10. **Action Required.** SCSEP state grantees should begin work on the PY 2008-2011 State Plan upon receipt of this issuance, and submit it in accordance with the requirements as described in section 9 above.
11. **Inquiries.** Questions should be directed to the appropriate regional SCSEP contact.
12. **Attachments.**

Attachment 1: Outline for the Development Process and Content of the State Plan

Attachment 2: Regional SCSEP Contacts