SUPPORTING STATEMENT

A. Justification:

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and of each regulation mandating or authorizing the collection of information.

The Department of Education receives funding for the Grants to States for Workplace and Community Transition Training for Incarcerated Youth Offenders Program (Title VIII, Part D of the Higher Education Amendments of 1998, as amended). As a result, the Department needs State Correctional Education Agencies to submit a plan of operation. In addition, States need to submit data concerning the number of "eligible students" under the Program, so that the Department can run the State allocation formula. The statute also requires State Correctional Education Agencies (SCEA) to conduct an evaluation and to annually report to the Secretary and the Attorney General on the results of the evaluation.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

Staff within the Office of Vocational and Adult Education (OVAE) will review the State plans for compliance with legislation and regulations, and then award State Correctional Education Agencies grants.

OVAE uses information concerning the number of "eligible students" to run the Program’s allocation formula for each year of the three-year award. OVAE will continue to use the information for this purpose.

Each State Correctional Education Agency (SCEA) will report to the Secretary of Education and the US Attorney General, as required by statute, on the progress the program has made toward meeting its goals and objectives by submitting an annual report.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g. permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

The electronic mail system used by The Department of Education (ED) continues to be an effective and efficient method for receiving documents from and communicating with customers. ED accepts State plans (applications), evaluation reports, and eligible population forms through the electronic mail system. Using the electronic mail to submit these requests can significantly expedite the time for receipt of such items as well as confirmations of receipt.

4. **Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.**

   The information requested in the State plan does not exist elsewhere.

   Data concerning the number of "eligible students" under this program has not been reported by States elsewhere. (See 8B).

   Information contained in the evaluation report does not exist elsewhere.

5. **If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-1), describe any methods used to minimize burden.**

   Neither small businesses nor small entities should be impacted. The Incarcerated Youth Offenders program provides funding to State Correctional Education Agencies only.

6. **Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

   If the collection were not conducted, the Department would be out of compliance with the Law and funds would not be released to States to conduct workplace and community transition training programs for incarcerated youth offenders.

7. **Explain any special circumstance that would cause an information collection to be conducted in a manner...**

   There are no special circumstances.

8A. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8 (d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments.

A 60-day notice was published on September 15, 2006. We received no comments. A 30-day notice was published on November 20, 2006. We received no comments.

8B. Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of

instruction and record keeping disclosures, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.
State Correctional Education Agencies have traditionally not had trouble understanding the instructions related to the annual state plan, annual report, or eligible population data form. We have not received any indication from states that these collections are replications of other collections required of their offices or that the information requested is housed elsewhere. In addition, states have traditionally been able to collect and report the data within a reasonable timeframe (prescribed by OVAE). States have not indicated the frequency of these collections to be an issue.

9. **Explain any decision to provide any payment or gift to respondents, other than renumeration of contractors or grantees,**
The respondents will not receive a payment nor a gift for completing the information collection. The information collection is required as part of receiving a State grant.

10. **Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulations, or agency policy.**
Confidentiality concerns are handled in accordance with the Privacy Act and the Freedom of Information Act. No other pledges of confidentiality are made.

11. **Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to person; from whom the information is requested, and any steps to be taken to obtain their consent.**
There are no questions of a sensitive nature.

12. **Provide estimates of the hour burden of the collection of information, The statement should:**

Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not make special surveys to obtain information on which to base burden estimates. Consultation with a sample of potential respondents is desirable. If the burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated burden and explain the reason for the variance. Generally, estimates should not include burden hours for customary and usual business practices.

If the request for approval is for more than one form, provide separate burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-1.

We don't anticipate any additional hours needed to complete the information requests than estimated for the previous clearance. We have not gotten any indications from SCEA's to determine that this was either too short or too long of an estimate. As a result, we have not increased or decreased the estimated burden hours for these collections and have calculated them as follows:

A total of 56 States, including the Commonwealth of Puerto Rico, District of Columbia, Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands submit a three-year State plan. It is estimated that 25 hours would be used for review instructions, search existing data resources, gather the necessary data, and complete and review the information collected for the application (25 hours X 56 potential respondents) thus making the estimated burden hours for this application approximately 1400 hours.

In addition to the three-year State plan (application), the Department needs information on the number of "eligible students" in each State. The total respondent burden for this collection is 560 hours. Based on the average preparation time of 10 hours per response (10 hours X 56 potential respondents). It is estimated that 9 hours would be used for research and gathering information. The remaining 1hour would be used for typing, printing and copying.

According to the statute, State Correctional Education Agencies must complete an evaluation report. The total respondent burden for this collection is 1120 hours. Based on the average preparation time of 20 hours per response (20 hours X 56 potential respondents). It is estimated that 15 hours would be used for research and evaluation. The remaining 5 hours would be used for typing, printing, copying, and binding.

ED requires three different collections of information for the first year of this three-year award. During the first year the information requested will be in the form of 1) a state plan (application), 2) an eligible population form, and 3) an evaluation report. During the final two years of the grant ED will only request information in the form of the latter two submissions (the eligible population form and the evaluation report). Since the estimated annual burden hours for year one will differ significantly from years two and three, we are submitting an average of the three years.

	Year One	*Year Two*	*Year Three*
State Plan	1400	0	0
Population Form	560	560	560

Evaluation Report	1120	1120	1120
TOTAL HOURS	**3080**	**1680**	**1680**

Yr. 1	3080
Yr. 2	1680
Yr. 3	1680
Average Annual Burden Hours	**2147**

Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying out-side parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.

Based upon an average hourly rate of $25.00 per professional, the estimated annualized cost to the 56 respondents is approximately $53,667. The estimated time for response to the application is 25 hours; the estimated time for response to the eligible population data form is 10 hours; the estimated time for response to the annual evaluation is 10 hours. The following table represents the estimated annualized cost calculations.

Year	**Cost /hr.**	**Hours**	**Respondents**	**Total**
One	$25	55	56	$77,000
Two	$25	30	56	$42,000
Three	$25	30	56	$42,000
Total				$161,000
Estimated Annualized Cost				**$53,667**

13. Annual Costs to Respondents (capital/start-up & operation and maintenance).

The total for the capital and start-up cost components for this information collection is zero. The information collection will not require the purchase of any capital equipment nor create any start-up costs. Computers and software used to complete this information collection are part of the respondents' customary and usual business or private practices, and therefore is not included in this estimate.

The total operation and maintenance and purchase of service components for this information collection is zero. The information collection will not create costs associated with generating, maintaining, and disclosing or providing the information that is not already identified in question 12 of this supporting statement.

14. Provide estimates of annualized cost to the Federal government.
The Federal costs are estimated to be approximately $8,000 on average per year. Time and effort in processing and managing the applications, eligible population data request forms, and annual reports will be handled by current program specialists and staff of the Office of Vocational and Adult Education as a part of their regular duties. These costs include the salaries and expenses of program staff who manage the review process, but do not represent costs incurred above or beyond the regular salary of the staff. The method used to estimate the cost for the program is as follows:

Year	Staff	Time	Cost
One	GS-12	4 weeks	$5000
	GS-14	4 weeks	$7000
Total			$12000

Year	Staff	Time	Cost
Two	GS-12	2 weeks	$2500
	GS-14	2 weeks	$3500
Total			$6000

Year	Staff	Time	Cost
Three	GS-12	2 weeks	$2500
	GS-14	2 weeks	$3500
Total			$6000

Total 3-year average

Yr. 1	$12000
Yr. 2	$6000
Yr. 3	$6000
Total	$24000
Estimated Annualized Cost	**$8,000**

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-1.

There are no program changes from the previous collection clearance.

16. For collections of information whose results will be published, outline plans for tabulation, and publication. Address any complex analytical techniques

that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publications dates, and other actions.

There are no plans for publication of data from this collection.

17. **If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

    We are not seeking to remove the OMB approved expiration date.

18. **Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of** OMB **Form 83-1.**

    This request is in compliance with 5 CFR 1320.9

B. Collections of Information Employing Statistical Methods:

NOT APPLICABLE