

SUPPORTING STATEMENT

A. Justification:

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

Federal vocational education legislation has been reauthorized. The Carl D. Perkins Career and Technical Education Act of 2006 (Perkins IV), 20 U.S.C. 2301 *et seq.* as amended by P.L. 109-270, was signed into law on August 12, 2006. The purpose of this request is to reinstate and update the information collection package 1830-0029 (The Carl D Perkins Vocational and Technical Education Act of 1998; P.L 105-332 – State Plan) to include:

- Instructions regarding contents of a one-year transition plan or six-year State plan;
- New State plan narrative requirements from the new Act;
- Information States must provide regarding the consolidation of Title II funds under Title I;
- Budget information;
- Accountability information; and
- A cover page that must be submitted with the State plan.

Perkins IV reauthorizes programs previously authorized by the Carl D. Perkins Vocational and Technical Education Act of 1998 for fiscal years 2007 through 2012. Title I of Perkins IV authorizes grants to eligible agencies in the fifty States, the District of Columbia, Puerto Rico, the United States Virgin Islands, American Samoa, Northern Marianas, Palau and Guam for the purposes of “promoting the development of services and activities that integrate rigorous and challenging academic and career and technical instruction, and that link secondary education and postsecondary education” for participating career and technical education students. Grant amounts for the 50 States, the District of Columbia, Puerto Rico and the Virgin Islands are determined by a formula prescribed in the law. Title II of Perkins IV authorizes grants to the same eligible agencies listed above to support tech-prep education programs as defined by Title II. Grant amounts are determined by the same formula used to allocate funds for Title I. Under section 202 of the Act, eligible agencies now have the option of consolidating all or a portion of their Title II funds under Title I.

Section 122 of the Act requires eligible agencies to submit a six-year state plan in order to receive funds under Title I. Section 201 requires eligible agencies to submit an application for Title II funds as part of its six-year state plan. State plans must be submitted by April 2, 2007. The Act contains specific requirements for what must be included in the State plan. This collection is limited to the information that is required

by Perkins IV, the General Education Provisions Act and its implementing regulations, and the Education Department General Administrative Regulations (34CFR Part 76.104).

Additional State Options for FY 2007

One-Year Transition Plan under Perkins IV

Section 122(a)(1) of Perkins IV provides eligible agencies the option of meeting the State plan requirements by submitting a one-year transition plan for fiscal year 2007. If an agency elects to submit a one-year transition plan, it must submit a 5-year State plan by April 2, 2008.

Unified Plan under the Workforce Investment Act

Section 501 of WIA provides eligible agencies with the option of submitting the State plan for Perkins IV as part of a unified plan that incorporates one or more related education and workforce development programs. These programs include employment training activities authorized by Title I of WIA, the Adult Education and Family Literacy Act, programs authorized by Title I of the Rehabilitation Act, and work programs authorized under the Food Stamp Act. The portion of the unified plan that addresses career and technical education must meet all of the requirements for a State plan under Perkins IV. The Department will issue under separate cover guidance for States for submitting a unified State plan.

- 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 members of the Division of Academic and Technical Education, Office of Vocational and Adult Education review the State plans to determine compliance with the Act, as required by section 122 of the Act. The State plans also are used as a source of information for policy analysis and for responding to inquiries from members of Congress and others. States cannot receive Federal career and technical education funds without the submission and approval of the State plans.

- 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 Department is encouraging eligible agencies to submit State plans electronically. Last year, all States submitted electronically their required State plan revisions; therefore, we anticipate that every eligible agency make an electronic submission of their new State plan.

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.

Current State plans expire June 30, 2007. They were developed, submitted, and approved under the Carl D. Perkins Vocational and Technical Education Act of 1998, which was repealed by P.L. 109-270, effective August 12, 2006. The new Act contains additional and more rigorous requirements for the submission of State plans that must be addressed in the new State plans.

To avoid duplication of effort in the collection of information from States, the Department will, at the request of a State, prepopulate the performance levels for the Perkins core indicators of performance for academic attainment and graduation rates with the Annual Measurable Objectives (AMOs) that the State negotiated with the Department under the No Child Left Behind Act (NCLB). These performance levels are to be included on the Final Agreed Upon Performance Levels (FAUPL) Form.

5. If the collection information impacts small businesses or other small entities (Item 5 of 014B Form 83-1), describe any methods used to minimize burden.

This collection does not impact small businesses.

6. Describe the consequence of 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.

The State plan serves as the basis for the granting of Federal career and technical education funds under the Act. The Department of Education could not release funds to the States if the information collection was not conducted. The Act dictates the frequency of collection and the types of information that must be collected.

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

- **Requiring respondents to report information to the agency more often than quarterly;**
- **Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- **Requiring respondents to submit more than an original and two copies of any document;**
- **Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**
- **In connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
- **Requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**

- That includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies or compatible confidential use; or
- Requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

No such circumstances exist.

8. **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. Specifically address comments received on cost and hour burden.**

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, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile record should occur at least once every 3 years—even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

Time since enactment of the Act has not permitted consultation with eligible agencies prior to submission of this request. However on October 6 OVAE convened a meeting here in Washington, DC, of all the State Directors of Career and Technical Education to discuss the new provisions of the Act, including the new requirements concerning State plans. Ongoing consultation will be achieved through monthly conference calls with the State Directors.

A Federal Register Notice regarding this collection was published on October 4, 2006.

9. **Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.**

We will not provide gifts or payment to respondents. The submission of a State plan is a prerequisite for eligible agencies to receive funds.

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 according to provisions in 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 persons 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.**
- **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 outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.**

This request is for approval of one form only.

The Act requires eligible agencies in the 50 States, District of Columbia, Puerto Rico, U.S. Virgin Islands, and Guam to submit State plans in order to receive funds under the Act. State plans are due to be submitted to the Department by States on April 2, 2006. The duration of the plan is six years, but for Fiscal Year 2007 only, eligible agencies have the option of submitting a one-year transition plan in order to meet the State plan requirements of the Act. If an agency exercises this option, it must submit a five-year State plan by April 2, 2007. Agencies submit annual revisions to their approved State plan that they determine to be necessary.

Data gathered by the Office of Vocational and Adult Education during its consultations with eligible agency staff regarding the time required for developing state plans under a previously approved collection lead us to estimate that the development and submission of

the information collected pursuant to Title I and Title II of the Act for submission of either a *six-year or five-year State plan* will require an estimated average of 7,560 hours of professional staff time to gather, compile, review and prepare information and 1,620 hours of clerical staff time. The time required for developing either a *one-year transition State plan or State plan revisions* would be considerably less. NOTE: In the chart below, burden hours are based on the States' submission of a *6-year State plan* in 2006-2007, though some States may submit a *one-year transition plan* in 2006-2007 and submit a *five-year State plan* in 2007-2008.

Program Year	Estimated Number of Responses	Type of Staff	Estimated Number of Burden Hours Per Response	Total Estimated Number of Burden Hours
2006-2007	54	Professional Clerical TOTAL	140 30 170	7,560 1,620 9,180
2007-2008	54	Professional Clerical TOTAL	47 10 57	2,538 540 3,078
2008-2009	54	Professional Clerical TOTAL	47 10 57	2,538 540 3,078
ANNUAL AVERAGE	54		95	5,112

The total estimated annual average cost over the three-year period is \$114,300 for 54 respondents. This figure represents the salaries of one professional staff person who worked an estimated annual average of 4,212 hours at \$25 per hour (\$105,300), and one clerical staff person who worked an estimated annual average of 900 hours at \$10 per hour (\$9,000).

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

The total capital and start-up costs for this collection are zero. The information collection will not require the purchase of any capital equipment or 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 are not included in this estimate.

The total for operation and maintenance and purchase of service components for this information is zero. The information collection will not create costs associated with

generating, maintaining, and disclosing or providing the information not already identified in question 12 of this supporting statement.

14. Provide estimates of annualized cost to the Federal government.

The Federal cost is estimated to be approximately \$24,551. This includes salaries of program staff who will review State plans. The method used to estimate the cost is as follows:

Program Office Staff				
3	GS-12	X	40 hours	= \$ 4,238
5	GS-13	X	40 hours	= \$ 8,400
6	GS-14	X	40 hours	= \$11,913
TOTAL =				\$24,551

TOTAL ESTIMATED FEDERAL COST = \$ 24,551

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

Current OMB inventory for this collection is 0. The previous State Plan collection expired on October 31, 2005. There is an increase in burden hours from the original collection is due to the fact that the previous collection dealt solely with the submission and review of annual revisions to the State plans. The current submission is requiring the development of new state plans.

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 information, completion of report, publication dates, and other actions.

There are no plans for complex analytical techniques or for publication of data from this collection, although each state plan is a public document.

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 this approval.

18. Explain each exception to the certification statement identified in Item 20, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I

This request is in compliance with 5 CFR 1320.9.

B. Collections of Information Employing Statistical Methods:

This collection of information does not employ statistical methods.