

Supporting Statement for Paperwork Reduction Act Submissions

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 regulations mandating or authorizing the collection of information.**

Authorized under Title V, Part D, Subpart 4 of the Elementary and Secondary Education Act of 1965 (ESEA) (20 U.S.C. 7249), as amended by the No Child Left Behind Act of 2001, the Smaller Learning Communities (SLC) program awards discretionary grants to local educational agencies (LEAs) to support the restructuring of large public high schools with enrollments of 1,000 or more students into smaller units. SLC structures include freshman academies, multi-grade academies organized around career interests or other themes, “houses” in which small groups of students remain together throughout high school, autonomous schools-within-a-school, and small schools. This information collection is needed to solicit applications for funds from eligible LEAs. The Department of Education (ED) would not be able to obligate funds appropriated by Congress for this program without this information collection.

We are proposing to revise this information collection as follows:

- 1. Replace the existing priority, “Helping All Students Succeed in Rigorous Academic Courses,” with a new priority, “Preparing All Students to Succeed in Postsecondary Education and Careers.”*

The current priority supports SLC projects that address the needs of students who enter ninth grade with reading or mathematics skills that are significantly below grade level. The new proposed priority supports SLC projects that are part of a comprehensive effort to prepare all students to succeed in postsecondary education and careers without need for remediation. Addressing the needs of students who enter ninth grade with reading or mathematics skills that are significantly below grade level is one element of the new proposed priority. The rationale for the new priority is explained in the Notice of Proposed Priority.

- 2. Establish simpler selection criteria that are more focused on student outcomes.*

The approved collection asks respondents to address in their applications 19 selection criteria with 14 different subcriteria. The proposed revision would reduce the number of selection criteria to 17, and eliminate all subcriteria. The revised criteria also place greater emphasis on the extent to which applicants are likely to be effective in improving student outcomes. Only 1 of the current selection criteria evaluates the extent to which applicants are likely to be successful in improving student outcomes. Four of the revised selection criteria focus on student outcomes. In addition, one of the revised criteria evaluates the extent to which applicants will provide all students with a rigorous academic curriculum, an issue that is not addressed by the approved criteria.

3. *Eliminate the requirement that applicants identify baseline data and set performance goals for placing students in employment after graduation.*

The approved collection requires respondents to identify, for each school, baseline data on the percentage of high school graduates who enter employment by the end of the first quarter after graduation, and to set performance targets for this indicator for each year of the grant. The proposed revision eliminates this requirement because the employment placement performance measure does not reflect the SLC program’s “mission and priorities” (OMB PART Guidance No. 2007-02). The program’s priorities are to increase student academic achievement, completion of high school with a regular diploma, and enrollment in postsecondary education. It is not a job training program. Further, obtaining valid and reliable employment data is difficult and costly for local school districts. Since they do not have access to unemployment insurance wage records, which are the least expensive and most accurate means of verifying employment, districts must instead administer surveys of graduates. Securing a response rate sufficient to minimize nonresponse bias is difficult to achieve. For example, one SLC grant recipient that administers a web-based survey of recent graduates has not been able to secure a response rate greater than 15 percent.

4. *Require each applicant that seeks to charge indirect costs to the grant to submit a copy of its approved indirect cost agreement.*

The proposed revision requires applicants that seek to claim indirect costs to submit a copy of their approved indirect cost rate agreement along with their applications. The approved collection does not require the submission of this information. The indirect cost rate agreement is needed to verify that the applicant’s indirect cost claims are accurate. Currently, program staff must contact State Educational Agencies to obtain this information during their review of the proposed budgets in recommended applications. Securing this information can add several days to the process.

Together, we estimate that these changes will reduce the burden hours per respondent by two hours.

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.**

ED uses the information collected to—

- Determine whether an applicant is eligible for an SLC grant;
- Evaluate, through external peer review, the quality of each application and the extent to which it merits funding;
- Select applicants that will be awarded SLC grants; and
- Determine the amount of the grant awarded to each successful applicant.

In addition, ED uses the information contained in the applications that are selected for funding to —

- Prepare summaries of the activities each grantee will carry out that are disseminated by ED to members of Congress and the general public;
- Monitor the progress and performance of each grantee in carrying out the activities described in its application.

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

Respondents will be required to submit their applications through Grants.gov.

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

This information collection does not duplicate any other information collection effort. The information collected is unique to the SLC program.

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

Small entities are not affected by this program. The respondents are LEAs.

6. Describe the consequences 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.

The Smaller Learning Communities Program is a discretionary grant program. The program could not be implemented without the collection of information. The data collection occurs only when applications for new grants are solicited, once every year.

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 records 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.

Consultations with current grant recipients were conducted during regional professional development institutes sponsored by ED in late 2006. Consultations with prospective applicants were conducted during breakout sessions at the Small Schools Workshop's annual conference in January 2007.

A Notice of Proposed Priority was published in the *Federal Register* on March 8, 2007. Additionally, a 30 FR Notice inviting public comment was published on March 12, 2007.

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

Payments or gifts will not be made to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulations, or agency policy.

No assurance of confidentiality will be provided to respondents.

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 conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**
- **If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in item 13 of OMB-I.**
- **Provide estimates of annualized cost to respondents of 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.**

A. Burden hours for respondents

Fiscal Year	Estimated Number of Responses	Type of Staff	Estimated Number of Burden Hours Per Response	Total Estimated Number of Burden Hours
2007	300	Professional	53	15,900
		Clerical	10	3,000
		TOTAL	63	18,900
2008	300	Professional	53	15,900
		Clerical	10	3,000
		TOTAL	63	18,900
2009	300	Professional	53	15,900
		Clerical	10	3,000
		TOTAL	63	18,900
TOTAL	900		189	56,700
ANNUAL AVERAGE	300		63	18,900

We estimate that the changes made by this revision to the collection will reduce total burden hours from 19,500 hours to 18,900.

B. Cost to Respondents

The estimated cost to respondents is approximately \$310,200 based upon an average hourly rate of \$18.00 per professional hour and \$8.00 per clerical hour. Based on the average preparation time of 63 hours per response, it is estimated that 53 professional hours would be used for research, gathering information, writing, and reviewing the application. The remaining 10 hours would be used for typing, formatting and copying.

300 respondents x 53 professional hours x \$18.00/hour	=	\$286,200
300 respondents x 10 clerical hours x \$8.00/hour	=	\$24,000
Total	=	\$310,200

13. Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in items 12 and 14).

- The cost estimate should be split into two components: (a) total capital and start-up cost component (annualized over its expected useful life and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.
- If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.
- Generally, estimates should not include purchases of equipment of services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

There are no costs that (a) meet the criteria for inclusion under this item; and (b) have not been addressed in either item #12 or item #14.

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from items 12, 13, and 14 in a single table.

<i>Program Staff</i>	
3 GS14 x \$45/hour x 80 hours	\$10,800
2 GS13 x \$38/hour x 80 hours	\$6,080
5 GS12 x \$32/hour x 80 hours	\$12,800
1 GS9 x \$22/hour x 80 hours	\$990
TOTAL	\$30,670
<i>Application Review Costs</i>	
300 applications x 2 hours per application	

per reviewer = 600 hours	
Travel for reviewers (90 @ \$800)	\$72,000
Per diem for reviewers (90 @ \$904)	\$81,360
Honorarium for reviewers (90 @ \$1,000)	\$90,000
TOTAL	\$243,360
GRAND TOTAL	\$274,030

There are no costs for printing or mailing the application package. The application package will be available through Grants.Gov and the Department’s website.

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

The reduction in burden hours is the result of the changes proposed in this revision to the collection. We estimate that the proposed change will reduce the burden hours per response by 2 hours. Since the number of respondents will remain 300, the total number of annual burden hours will drop from 19,500 to 18,900.

Change	Effect on Burden Hours Per Response
Replace the existing priority, “Helping All Students Succeed in Rigorous Academic Courses,” with a new priority, “Preparing All Students to Succeed in Postsecondary Education and Careers.”	+ 1.5 hour (professional)
Establish simpler selection criteria that are more focused on student outcomes.	- 3 hours (professional)
Eliminate the requirement that applicants identify baseline data and set performance goals for placing students in employment after graduation.	- 1 hour (professional)
Require each applicant that seeks to charge indirect costs to the grant to submit a copy of its approved indirect cost agreement.	+ .5 hour (professional)
TOTAL	- 2 hours (professional)

Annual federal costs are lower because significantly fewer program staff will be involved in reviewing applications. At the time the collection was approved, there were 32 program staff involved in reviewing applications. Only 11 federal staff will be involved in future reviews.

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, publication data, and other actions.

There are no plans to publish the results of this data collection.

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

The Department is not seeking this approval.

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

There are no exceptions to the referenced certification statement.

SEC. 5441. SMALLER LEARNING COMMUNITIES.

(a) GRANT AUTHORITY- The Secretary is authorized to award grants to local educational agencies to enable the agencies to create a smaller learning community or communities.

(b) APPLICATION- Each local educational agency desiring a grant under this subpart shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require. The application shall include descriptions of the following:

(1) Strategies and methods the local educational agency will use to create the smaller learning community or communities.

(2) Curriculum and instructional practices, including any particular themes or emphases, to be used in the smaller learning environment.

(3) The extent of involvement of teachers and other school personnel in investigating, designing, implementing, and sustaining the smaller learning community or communities.

(4) The process to be used for involving students, parents, and other stakeholders in the development and implementation of the smaller learning community or communities.

(5) Any cooperation or collaboration among community agencies, organizations, businesses, and others to develop or implement a plan to create the smaller learning community or communities.

(6) The training and professional development activities that will be offered to teachers and others involved in the activities assisted under this subpart.

(7) The objectives of the activities assisted under this subpart, including a description of how such activities will better enable all students to reach challenging State academic content standards and State student academic achievement standards.

(8) The methods by which the local educational agency will assess progress in meeting the objectives described in paragraph (7).

(9) If the smaller learning community or communities exist as a school-within-a-school, the relationship, including governance and administration, of the smaller learning community to the remainder of the school.

(10) The administrative and managerial relationship between the local educational agency and the smaller learning community or communities, including how such agency will demonstrate a commitment to the continuity

of the smaller learning community or communities (including the continuity of student and teacher assignment to a particular learning community).

`(11) How the local educational agency will coordinate or use funds provided under this subpart with other funds provided under this Act or other Federal laws.

`(12) The grade levels or ages of students who will participate in the smaller learning community or communities.

`(13) The method of placing students in the smaller learning community or communities, such that students are not placed according to ability or any other measure, but are placed at random or by their own choice, and not pursuant to testing or other judgments.

`(c) AUTHORIZED ACTIVITIES- Funds under this section may be used for one or more of the following:

`(1) To study-

`(A) the feasibility of creating the smaller learning community or communities; and

`(B) effective and innovative organizational and instructional strategies that will be used in the smaller learning community or communities.

`(2) To research, develop, and implement-

`(A) strategies for creating the smaller learning community or communities; and

`(B) strategies for effective and innovative changes in curriculum and instruction, geared to challenging State academic content standards and State student academic achievement standards.

`(3) To provide professional development for school staff in innovative teaching methods that-

`(A) challenge and engage students; and

`(B) will be used in the smaller learning community or communities.

`(4) To develop and implement strategies to include parents, business representatives, local institutions of higher education, community-based organizations, and other community members in the smaller learning communities as facilitators of activities that enable teachers to participate in professional development activities and provide links between students and their community.