

**SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT  
SUBMISSION FOR EXTENSION OF A CURRENTLY APPROVED  
COLLECTION  
STATE PROPOSALS FOR RECOGNITION OF RIGOROUS SECONDARY  
SCHOOL PROGRAMS OF STUDY PART A**

**A. Justification**

1. Collection of the information is necessary so that the Secretary of Education can carry out the Academic Competitiveness Grant (ACG) program to implement provisions of the Higher Education Act of 1965 (HEA), as amended by the Higher Education Reconciliation Act of 2005 (HERA). The information will be used to determine whether the Secretary may recognize as rigorous, secondary school programs of study proposed by an individual State Educational Agency (SEA) or, if legally authorized by the State to establish a separate secondary school program of study, a Local Educational Agency (LEA). Participation in a rigorous secondary school program of study may qualify a postsecondary student to receive an ACG, if otherwise eligible.

An extension of the current information collection with no changes is being requested. However, the Department is conducting negotiated rulemaking for the ACG Program this year. Should negotiated rulemaking result in changes related to this information collection, we will resubmit those changes to OMB at that time.

Information is collected under the authority of Section 401A establishing the ACG program (P.L. 109-171). The link to the authorizing statute is:

[http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?  
dbname=109\\_cong\\_public\\_laws&docid=f:publ171.109](http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=109_cong_public_laws&docid=f:publ171.109)

2. The information is used by the Secretary to recognize as rigorous, secondary school programs of study submitted by respondents. The respondents under this collection are States, SEAs or, if legally authorized by the State to establish a separate secondary school program of study, an LEA. Information may be submitted to the Department electronically, or by fax or hard-copy.
3. Respondents may submit information electronically, or by fax or hard-copy.
4. The information in each proposal is unique to each respondent.
5. Not applicable – small businesses or other small entities would not be impacted by this collection. Entities that would be affected by this information collection are States, SEAs, and LEAs. States, SEAs, and LEAs are not defined as "small entities" in the Regulatory Flexibility Act.

6. The information will be used to determine whether the Secretary recognizes as rigorous, secondary school programs of study proposed by an individual SEA or, if legally authorized by the State to establish a separate secondary school program of study, an LEA.

Failure to collect this information would prevent the awarding of appropriated funds because essential information would not be available to determine whether a student had completed a rigorous secondary school program of study recognized by the Secretary in order to determine student eligibility for the ACG.

7. There are no special circumstances that would cause this information collection to be conducted in a manner which: requires the respondents to report information to this agency more often than quarterly; requires the respondents to prepare a written response fewer than 30 days after receipt of it; requires the respondents to submit more than an original and two copies of any document; requires the 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 the study; requires the use of statistical data classification that has not been reviewed and approved by OMB; 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 for compatible confidential use; or requiring the 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.

The sixty-day Federal Register notice was published on 2/8/07, volume 72 – page 5964. No public comments have been received to date.

8. Public comment will occur this year during negotiated rulemaking.
9. No gifts or payments will be provided to respondents.
10. No assurances of confidentiality are provided to the respondents, except as provided by the Privacy Act. There are no statutory or regulatory requirements for assurances of confidentiality.
11. The requested information from the States does not include questions about sexual behavior and attitudes, religious beliefs, or other items that are commonly considered sensitive and private.
12. Estimated hour burden of this collection of information is 5 hours per respondent. We estimate 38 respondents. Proposals will be submitted annually. The total annual hour burden estimate is 190 hours. The annual cost per respondent is \$215.00.

**Estimated cost to respondents:**

Professionals (38 personnel X 4 hours X \$50 per hour)	\$7,600
Clerical (38 personnel X 1 hours X \$15 per hour)	\$ 570
<b>Total estimated costs to respondents</b>	<b>\$8,170</b>

13. No other respondent costs will be generated.

**14. Estimated annual cost to the Federal Government:**

Recognition Process (14 staff X 40 hours X \$65 per hour)	\$ 36,400
Mailing (38 letters @\$1.00 per copy)	\$ 38
World Wide Web Preparation for Posting (10 hours X 1 staff X \$50 per hour)	\$ 500
<b>Total estimated cost to the Federal Government</b>	<b>\$ 36,938</b>

15. This request is for an extension of the current information collection, therefore, there are no changes.

16. Results of the collected information will be published on the Departmental website.

17. This report will display the expiration date for the OMB approval of the information collection.

18. There are no exceptions to the certification statement.