

**Supporting Statement
Assistive Technology Act of 1998, as amended
Data Collection Instrument**

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Supplemental Material Provided

Summary of Changes Based on Public Comment

Summary of State-level and State Leadership Activities and Measurable Goals

Burden Statement

Relevant Sections of the Assistive Technology Act of 1998, as amended

P.L. 108-364 The Assistive Technology Act of 1998, as amended

Justification

1. Necessity of the Information

The information collected through this data collection instrument is necessary for the Rehabilitation Services Administration (RSA) and states to comply with Sections 4 and 7 of the Assistive Technology Act of 1998, as amended (AT Act), and for states to satisfy the reporting requirements in 34 CFR 76.720, which requires an annual report of program performance.

Section 4 Requirements Necessitating Data Collection

Section 4 of the AT Act authorizes grants to public agencies in the 50 states and the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Marianas (states and outlying areas). With these funds, the 56 states and outlying areas operate “Statewide AT Programs” that conduct activities to increase access to and acquisition of assistive technology (AT) for individuals with disabilities. These comprehensive activities are divided into two categories: “State-level Activities” and “State Leadership Activities.” See supplemental materials B for a description of these seven activities.

According to Section 4 of the AT Act, as a condition of receiving a grant to support their Statewide AT Programs the 56 states and outlying areas must provide to RSA: (1) applications and (2) annual progress reports on their activities.

Applications: The application required of states and outlying areas is a three-year State Plan for Assistive Technology (State Plan for AT or State Plan) (OMB No. 1820-0664). The contents of the State Plan for AT are based on the requirements in Section 4(d) of the AT Act. As a part of this State Plan, Section 4(d)(3) of the AT Act requires that states and outlying areas set measurable goals for addressing the assistive technology needs of individuals with disabilities in education, employment, community living and information technology/telecommunications. The statutory requirements related to these measurable goals are in the supplemental materials.

Every state and outlying area was required to include a minimum of seven prescribed measurable goals in its State Plan. These measurable goals were discussed with and approved by OMB and information about them is included as supplemental materials. These seven goals apply to all states and outlying areas in order to aggregate information on performance of the program at the national level. National aggregation of data related to these goals will be necessary for GPRA and PART, as well as an Annual Report to Congress (see “Section 7 Requirements Necessitating Collection” below). Therefore, this data collection instrument provides a way for all 56 states and outlying areas to collect and report data on their performance in a consistent manner, including a uniform survey to be given to consumers. This uniform survey is included as part of the data collection package.

Annual Reports: In addition to submitting a State Plan every three years, states and outlying areas are required to submit annual progress reports on their activities. The data required in that progress report is specified in Section 4(f) of the AT Act, which can be found in supplemental materials.

Section 7 Requirements Necessitating Collection

Section 7(d) of the AT Act requires that RSA submit to Congress an annual report on the activities conducted under the Act and an analysis of the progress of the states and outlying areas in meeting their measurable goals (see supplemental materials). This report must include a compilation and summary of the data collected under Section 4(f). In order to make this possible, states and outlying areas must provide their data uniformly. This data collection instrument has been developed to ensure that all 56 states and outlying areas report data in a consistent manner in alignment with the requirements of 4(f).

2. Purposes and Uses of the Data

As stated above, RSA will use the information collected via this instrument to:

- (1) Assess the progress of states and outlying areas regarding measurable goals in their State Plans for AT;
- (2) Complete the required annual report to Congress;
- (3) Comply with GPRA; and
- (4) Prepare for PART evaluation.

In addition, RSA will use this data to inform its program management, monitoring and technical assistance efforts. States and outlying areas will be able to use the data for internal program management and improvement.

3. Information Technology

While the submission of this data collection is in hard copy, the paper version of the instrument being reviewed will translate almost directly into a Web-based format; throughout the document there are numerous references to how certain sections and items will be used in the electronic system. Upon approval of the paper version by OMB, a Web-based application for use by states will be designed and implemented. This work will be done by the Association for Assistive Technology Act Programs (ATAP) through the National Information System for Assistive Technology (NISAT) project. Through a cooperative agreement with RSA, NISAT is responsible for data collection and reporting, as required under section 6(b)(5) of the AT Act (see supplemental materials).

The Web application will be ready in summer of 2007 so that states can submit their data into the system at the end of FY 2007. Once complete, the system will meet or exceed requirements for accessibility contained in Section 508 of the Rehabilitation Act of 1973, all other statutes and regulations, and industry standards.

This Web-based system will allow all 56 states and outlying areas to enter and submit their data electronically at their convenience on an ongoing basis. Where appropriate, the system automatically generates totals and does other automatic calculations, saving time and reducing the chance of math errors. The system will be programmed to send electronic mail messages to all states prior to the due date of the annual reports. Electronic messages also will be sent to

states that do not submit their reports on time, so that less time is spent following up to ensure that annual reporting requirements are met.

RSA will have immediate access to the information submitted, allowing RSA to identify which grantees have submitted their data. This access will allow RSA to generate reports, even on partial data, as requested by Congress or others. States will have similar access to their data for management purposes, and information to be determined will be available to the public.

4. Efforts to Identify Duplication

Data collected on State Financing Activities (see pages 5 through 16 of the instrument) is duplicative of information collected under title III of the Assistive Technology Act of 1998 as in effect prior to the 2004 amendments. Under a separate funding authority, title III provided for alternative financing programs (AFPs) that operate in perpetuity. To date, 33 AFPs exist funded under title III. Title III has its own data collection requirements and its own web-based data collection system (OMB Number 1820-0662).

Because Section 4 of the AT Act includes AFPs as a form of state financing activity (see supplemental materials), many states have incorporated their existing title III AFP into their State Plan for AT. However, a single data collection instrument cannot capture the entire universe of data, or entities needing to report that data, for both title III and Section 4 because:

- (a) the data collection requirements of section 4 and Title III are similar but not the same, so it is not possible to use one as a proxy for the other; and
- (b) not all states have both title III and section 4 grants, and, when a state does have both grants, both grants do not always go to the same agency.

The cooperative agreement with NISAT previously mentioned includes maintaining data collection for both title III and Section 4. Once the instrument under review is approved, during FY 2007 RSA and NISAT will work with title III programs to:

- (a) revise the title III data collection instrument and align it with the section 4 instrument (for example, using the same definition of “default” in both systems); and
- (b) integrate the Web-based title III system with the Web-based section 4 system so that states do not have to enter data twice.

Other than some duplication of title III data, this data collection instrument is unique to section 4 of the AT Act and does not duplicate other data collection efforts. When possible, terminology, definitions and other features of this instrument are aligned with data collection instruments already used by AT Act grantees for other purposes. For example, a number of Statewide AT Programs operate from University Centers on Excellence in Developmental Disabilities funded through the Administration on Developmental Disabilities (ADD). As such, these programs report into a data collection system sponsored by ADD. In many cases, there is alignment between the ADD system and this instrument. For example, the customer satisfaction survey used in this instrument is taken directly from the ADD system, and the definition of technical assistance is modified from the ADD definition.

5. Methods Used to Minimize Burden on Small Entities

This information collection does not involve small businesses.

6. Consequences of Not Collecting the Information

If this information is not collected, neither RSA nor states can fulfill their reporting obligations under Sections 4 and 7 of the AT Act. Those obligations are annual, so the data collection cannot occur less frequently than annually.

7. Special Circumstances

The proposed data collection is consistent with guidelines set forth in 5 CFR 1320.5 and requires no special circumstances.

8. Consultation Outside the Agency

The process for developing this data collection instrument began in June 2005. States that attended either a meeting in Washington, D.C., or Albuquerque, N.M., had the opportunity to provide input to the organization responsible for coordinating the development of this instrument, which at the time was the Research Triangle Institute (RTI). During those input sessions, states commented on the general principles and features that would be desirable in developing this data collection instrument.

Using the feedback from those meetings, RTI established a workgroup of approximately 20 individuals from programs funded under the AT Act to develop a proposed instrument. This workgroup met face-to-face in September 2005 and March 2006. Between and subsequent to those meetings, the group as a whole and subgroups derived from the whole met via conference call on a number of occasions. RSA staff also participated in all meetings.

In addition, ATAP (the membership association to which 54 of the 56 Statewide AT Programs belong) independently instituted a workgroup to address data collection. This group was formed prior to the RTI process and many members of that group joined the RTI group. The work done by this independent group combined with the work coordinated by RTI served as the basis for a proposal to RSA. The instrument being submitted for review is based on that proposal.

The proposed instrument the resulted from the combined work of ATAP and RTI was shared with all 56 AT Act grantees prior to a conference in June 2006. At that conference, the instrument was explained to all attendees, and all attendees had the opportunity to ask questions and provide comments.

A stakeholder group also worked with RSA to respond to comments received on this data collection via the Federal Register. See the supplemental materials for a description of this stakeholder group and its work. At the conclusion of the work of the stakeholder group, a

conference call was held for the 56 AT Act grantees to share information about changes resulting from public comment and a revised draft of the instrument was shared.

9. Payments or Gifts to Respondents

No payments or gifts are provided to respondents.

10. Assurances of Confidentiality

Confidentiality for individual consumers receiving services from a Statewide AT Program is assured because the states will not report information that identifies individual consumers. States will provide anecdotes about the effect of their programs on individual consumers, but states are instructed to write anecdotes in a manner that ensures their anonymity. All other data provided is reported in the aggregate, including performance measure and customer satisfaction surveys.

The Web-based system to be developed will not allow public access to the reporting instrument for data entry, and states will have access to their data only so they will not be able to see or manipulate data of other states. Individual reports will be kept confidential until they have been finalized by the state and accepted by RSA.

Once a report has been finalized by the state and accepted by RSA, access to the data will be available to the public via the Internet, though the public will be able to view and not alter the data. States will be advised that their data will be available to the public in this manner. Public availability of this data is consistent with the public availability of the State Plans for AT.

11. Sensitive Questions

No questions included in the data collection instrument, the surveys designed to provide data on performance measures, or the customer satisfaction surveys are considered sensitive.

12. Estimate of Response Burden

This information collection has 3 pieces:

- (A) A Web-based system that collects data from states.
- (B) A performance measure survey that states will collect from individuals
- (C) A customer satisfaction survey that states will collect from individuals.

(A) Fifty-six grantees will report using the Web-based data collection system. It is estimated the average amount of time required to complete all responses to the data collection instrument is 244 hours annually. The estimated response burden includes time to review the instructions, gather existing data, and complete and review the data entry. These estimates are based on the experience of staff who implement these programs at the state level.

(B) The fifty-six grantees will ask consumers to complete surveys that will provide information on their performance related to the state's measurable goals. Responses from states

indicated that the average state will ask for this information from 1700 consumers at 5 minutes per consumer, for a total of 141 hours annually.

(C) The fifty-six grantees will ask consumers to complete customer satisfaction surveys. Responses from states indicated that the average state will ask for this information from 1700 consumers at 2.5 minutes per consumer, for a total of 71 hours annually.

Therefore, the combined burden of completing the data collection instruments and related surveys is 456 hours (244 + 141 + 71) per grantee. In discussions with program directors, it was agreed that at least one staff person would need to dedicate one full working day each week to all three data collection instruments, with an additional full week of data entry at the end of each reporting cycle. With 56 grantees responding, this brings the national burden to 25,536 hours annually.

Program staff also estimated the average recordkeeping burden at 22 hours per year for a total of 1,232 hours. Therefore, the total annual reporting and recordkeeping burden would be 26,768 hours.

Assuming an average hourly cost of \$30 per hour for staff members who complete the instrument, the cost burden for individual grantees is estimated to be \$13,680 annually, and the total cost of data collection for the 56 grantees is estimated to be \$766,080 annually. Using the same rate, the cost for recordkeeping is estimated at \$660 per state or outlying area, \$36,960 total for all states and outlying areas, resulting in a total reporting and recordkeeping cost of \$803,040 per year.

The average hourly cost of \$30 represents the average, fully-loaded wage rate, i.e., includes pre-tax cash wages, fringe benefits and overhead support for several different classes of labor ranging from clerical to managerial labor and accounts for the amount of time different types of grantee personnel (i.e., clerical, technical, professional and managerial) are expected to expend.

13. Estimate of Cost Burden of Collecting Information

There are no capital costs or equipment purchases necessary.

14. Estimate of Annualized Cost to the Federal Government

The estimated annualized cost is \$316,890.

Section 6(b)(5) of the AT Act (see supplemental materials) requires that RSA award a grant, contract, or cooperative agreement to an entity to assist states with data collection and reporting. The entity receiving this award will be responsible for developing and maintaining the Web-based data collection system, providing training and technical assistance to states on use of the system, and assisting with writing the Annual Report to Congress based on data from the system. RSA plans to make this award in the summer of 2006 and, subject to appropriations, anticipates providing approximately \$250,000 a year for five years to the recipient.

In addition, RSA employs two Program Specialists at the GS-13 level with responsibility for the administration of the AT Act, including this data collection. These program specialists are housed in the Service Programs Unit, which is overseen by a Unit Chief and Director. These staff devote a percentage of their time to this data collection, creating an additional cost of approximately \$66,890.

15. Change in Burden

The estimated reporting burden is 456 hours per state and outlying area for a total of 26,768 hours for the 56 states and outlying areas. This represents an increase in burden. Since there is no currently approved collection, the current OMB inventory is 0. However, the estimated burden for the previous collection (expired May 31, 2005) was 16 hours per state and outlying area. That estimate, prepared by RTI in 2002, was based on RTI's experience with similar data collection instruments rather than the input of staff actually implementing programs. Further, the prior data collection instrument was related to the AT Act prior to the 2004 amendments, which required completely different (and less complex) data and reporting.

16. Plan for Tabulation and Publication

The aggregate, national data derived from this collection will be used to create an annual report to Congress. The format of this report is unknown at this time but will respond to the requirements of Section 7(d) of the AT Act as shown in supplemental materials.

Because states receive grants every year, there is no end date for the reporting requirements. States will remain on a set reporting cycle, with the period beginning October 1 and ending September 30 each year. The only exception to this cycle would be FY 2007. For FY 2007, because this data collection is not yet approved, data collection will begin upon approval by OMB and continue through September 30, 2007.

17. Display Expiration Date for OMB Approval

RSA will display the expiration date for OMB approval of the information collection. See the supplemental materials.

18. Exceptions to Certification Statement

There are no exceptions to the certification statement.