

Supporting Statement for Paperwork Reduction Act Submissions

A. Justification

1. Title IX, Part C, Sections 9301-9306, of the Elementary and Secondary Education Act (ESEA), as amended by the No Child Left Behind Act (NCLB P.L. 107-110), authorizes the Secretary of Education to provide States the option of submitting consolidated applications to obtain funds for covered programs in which the State participates. The purpose of consolidated applications as defined in NCLB is to improve teaching and learning by encouraging greater cross-program coordination, planning, and service delivery; to enhance program integration; and to provide greater flexibility and less burden for State educational agencies.

The programs covered by Title IX, Part C are –

Title I, Part A -----Improving Basic Programs Operated by Local Educational Agencies  
Title I, Part B, subpart 3 -----William J. Goodling Even Start Family Literacy Programs  
Title I, Part C -----Education of Migrant Children  
Title I, Part D -----Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk  
Title I, Part F -----Comprehensive School Reform  
Title II, Part A -----Teacher and Principal Training and Recruiting Fund  
Title II, Part D -----Enhancing Education Through Technology.  
Title III, Part A ----- English Language Acquisition, Language Enhancement, and Academic Achievement  
Title IV, Part A ----- Safe and Drug-Free Schools and Communities  
Title IV, Part B -----21<sup>st</sup> Century Community Learning Centers  
Title V, Part A -----Innovative Programs  
Title VI, Part B, subpart 2: ---Rural and Low-Income School Program.  
Title VI, Section 6111-----State Assessments Program  
Title VI, Section 6112-----Enhanced Assessment Instruments

The Secretary has proposed to amend the regulations governing programs administered under Title I, Part A (Title I) of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act of 2001 (NCLB). The regulations are needed to clarify and strengthen current regulations in the areas of accountability and assessment.

The U.S. Department of Education (ED) has determined that some of the

proposed regulations include activities covered by the Paperwork Reduction Act (PRA). ED proposes to revise the Consolidated State Application (OMB Number 1810-0576) collection by adding burden estimates for the following proposed regulations:

- §200.7(a)(2)(i);
- §200.19(a)(1)(i)(C)(2);
- §200.19(d)(1); and
- §200.20(h).

Paperwork Clearance has already been approved for the criteria and procedures under which State educational agencies may submit those components of the consolidated applications that come into effect under ESEA in 2006 - 2008. These criteria and procedures will govern the submission of evidence of academic content and achievement standards and aligned assessments.

OMB approval was obtained through March 31, 2009, for an extension of the Consolidated State Application to allow for the collection of evidence on components of the Consolidated State Application that were included in the original collection, but will not become effective until 2006 and 2008. These components include adopting content standards/grade-level expectations in science, developing and implementing required assessments, setting academic achievement standards, and enhanced assessment grants. States were not required to re-submit information previously provided in the June 2002 and May 2003 submissions. However, since the Consolidated State Application is the basis for ongoing review of data States are required to submit, the new sections pertaining to requirements in 2005 and 2006 will need to be updated.

While the entire Consolidated Application is submitted for extended clearance (as it includes the few components that States must respond to when the ESEA requirements become effective), States will be required to submit only the information related to the components that are highlighted in the Consolidated Application. The burden hours for this collection are limited to those required to respond to the highlighted components.

In addition, 3,900 hours were added to this collection through an NOA on September 21, 2007. These additional hours accounted for new §200.1(f) of the final Title I regulations that require SEAs choosing to provide alternate assessments based on modified academic achievement standards to develop and monitor the implementation of clear guidelines for IEP Teams to apply in determining which students will be assessed based on modified academic achievement standards. The purpose of this requirement was to ensure that SEAs have guidelines in place that will

help IEP Teams appropriately determine which students with disabilities should be assessed based on the modified academic achievement standards.

2. The Department also will use the performance targets, baseline data, and other related information in the consolidated application to assess the degree of progress States make over time in achieving ESEA goals. As with the previous collection, the information in this collection will allow the Department to monitor and provide technical assistance to States, schools, and school districts on the effective use of program funds.
3. This information collection will make the application package available to States in an electronic format. Where applicable, States may include html references, electronic files, or other existing documentation to comply with the requirements listed in the application.

This information collection will be the last Consolidated State Application under NCLB. ED will work closely with PIMSI/EDFACTS to build application requirements in that system when the ESEA is reauthorized.

4. The consolidated application collection is based on an effort to avoid duplication.  
If States submit consolidated applications, they will not be required to submit individual program applications for the programs covered in the consolidated application. And secondly, the department has consulted with States and local education technology experts in data collection to ensure (among other things) that States are required to submit only that data not available through other sources.
5. Neither small businesses nor small entities are affected by this collection.
6. The statute requires States to submit an application under ESEA programs funded through the Department. The statute also permits States at their discretion to submit a consolidated application. This collection will ensure the information provided by States in the consolidated application is the minimum required by the Department to fulfill its fiduciary responsibility.
7. There are no special circumstances that apply to this collection.
8. ED is seeking public comment on the paperwork requirements at the same time that the proposed regulations are published for public comment
9. No payment or gifts will be provided to respondents.

10. There is no assurance of confidentiality provided to respondents.

11. This collection does not ask questions of a sensitive nature.

12. A. Burden hours for respondents

The table below presents the additional burden and cost that ED anticipates will result from the proposed regulations. This will increase the total hours for this collection to 34,164 hours from the currently approved level of 11,700 hours. The paragraphs that follow the table present the details from the previously approved collection.

**Consolidated State Application (Collection 1810-0576)  
State Educational Agencies (SEAs)  
Additional Burden in Hours and Dollars**

<b>Citation</b>	<b>Description</b>	<b>Frequency</b>	<b># of respondents</b>	<b>Average # of Hours per Respondent</b>	<b>Total Hours</b>	<b>Total Cost (Total Hours x \$30.00)</b>
§200.7(a)(2)(i)	Determining minimum subgroup size	Annually	52	112	5,824	\$174,720
§200.19(a)(1)(i)(C)(2)	Option for State to propose an alternative definition of "standard number of years" for limited categories of students	Annually	52	40	2,080	\$62,400
§200.19(d)(1)	Requirement for State to obtain approval of its definition of "continuous and substantial improvement" to determine whether high schools make AYP	Annually	52	40	2,080	\$62,400
§200.20(h)	Request waiver under section 9401 of ESEA to incorporate academic growth into State's AYP definition	Annually	52	240	12,480	\$374,400
<b>Total</b>		<b>N/A</b>	<b>52</b>	<b>N/A</b>	<b>22,464</b>	<b>\$ 673,920</b>

For the consolidated State application collection, the maximum number of respondents is 52 SEAs. SEAs were to submit the information requested over a three-year period with one response per applicant each year: one response by May 2006, one by December 2006 and one by December 2008. Each response would average approximately 150 burden hours per year with a total burden over the three-year period of approximately 450 hours for each respondent.

B. Cost to respondents

Primary costs to respondents fall into the following categories: collection of information, preparation of application, and mailing application. Based on an estimate of 52 forms prepared and submitted twice in 2006 and once in 2008, costs to respondents are estimated to be the following for each submission –

Collecting information:	52 forms x 75 hours/form x \$20/hour=\$78,000
Preparing application:	52 forms x 74.5 x \$25/hour=\$96,850
Mailing application:	52 forms x .5 hours x \$10=\$260

one Total: \$350,220 for two submissions in 2006 and \$175,110 for submission in 2008.

Total cost to respondent: \$6735 for 2006 and \$3,367 for 2008

Additional burden from §200.1(f) through OMB NOA of September 21, 2007: 52 guidelines X 75 hours/guideline = 3,900 hours. 3,900 hours @ \$26/hour = \$101,400.

13. This information collection does not require the use of capital, start-up, operation and maintenance, or purchase costs.

14. Estimated Federal costs

The estimated annual Federal cost for the additional regulations is \$16,166.

15. The change in burden hours is due to the estimated time that will be required for SEAs and LEAs to implement the proposed regulations.

16. Results of this information collection will not be published.

17. The information collection will display the expiration date for OMB approval.

18. There are no exceptions to the certification statement.

B. Collections of Information Employing Statistical Methods

This information collection will not employ statistical methods.