

**SUPPORTING STATEMENT FOR
PAPERWORK REDUCTION ACT SUBMISSION**

OMB No. (03650)1810-NEW-v.1

MIGRANT EDUCATION PROGRAM (MEP)

MIGRANT STUDENT INFORMATION EXCHANGE

A. Justification

Q1. 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 regulation mandating or authorizing the collection of information

A1. The Department of Education (ED) is requesting approval for a new information collection that is necessary to implement statutory requirements for data collection under Title I, Part C Migrant Education Program (MEP). The collection is a user application form which States need to use to verify the identity of Migrant Student Information Exchange (MSIX) users in order to grant them access to the MSIX system for the purpose of transferring migrant student data. The MSIX is authorized under sections 1308(b)(1) and (2) of Part C of Title I of the Elementary and Secondary Education Act (ESA), of 1965 as amended by the No Child Left Behind (NCLB) Act of 2001. The application registers the MSIX user's identity, title/position, work address, work telephone, email, and role. A System of Records Notice (SORN) for the Privacy Act System of Records associated with this information collection is underway. Privacy Data will not be retrieved until an approved SORN has been published in the Federal Register for 30 days, or is approved by OMB.

Q2. 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

A2. The information to be collected and maintained in MSIX is about individual users in the State that are granted access to MSIX. The information will be used to verify a potential MSIX user's identity and the appropriate level of access to MSIX information. The individual does not have to use the application form provided to them by the Department of Education, it is simply a suggested application to verify user identity and role.

Q3. 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.

A3. The State User Administrator can download the form provided in the MSIX User Access Guide and Application (dated September 27, 2007), or create their own System User Access form. If the States use their own system access form, the fields must be the same as those contained in the MSIX User Access Guide.

Q4. 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.

A4. The MSIX information collection will not duplicate (or otherwise include) the burden of other information collections. The users of MSIX are a uniquely State-identified set of users for each State. There is currently no collection of the names and work addresses for individuals that have been identified as needing access to MSIX for the purposes of enrollment, placement and accrual of credits for the migrant children in each state. In addition, no other authorized Department collection contains the names of these individuals.

Q5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.

A5. Small business or small entities are not impacted by this data collection.

Q6. 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.

A6 . Consequences are as follows:

- (1) There would be no record of authorized participants in the MSIX;
- (2) There is no way to be assured that only approved personnel in the States are participating in MSIX;
- (3) There would be no way to assure all authorized personnel has been granted the correct level of access.

Q7. 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 for 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.*

A7. None.

Q8. 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.

A8. The user application form was developed by the MSIX Team, which consists of MSIX Program Office and contractor staff as consultants with eight State and local personnel acting as advisors. The Department of Education will publish a notice requesting comments on the pending Information Collection on or about May 29, 2008. Comments will be summarized and used to finalize the package.

Q9. Explain any decisions to provide any payment or gifts to respondents, other than remuneration of contractors or grantees.

A9. No gifts or payments will be provided to respondents.

Q10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulations, or agency policy.

A10. That part of the users' access form defined as "directory information" is public information. Directory information is defined as a user's name, work address, work telephone, email address and access level, which is used only to grant that person access

to MSIX. All persons who access MSIX must accept and sign the MSIX Rules of Behavior, which is a detailed description of the safeguards that each system user must comply with in order to protect the privacy and security of the information.

Q11. 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.

A11. N/A.

Q12. Provide estimates of the hour burden of the collection of information

A12. We estimate that it will take no more than 30-minutes burden per application for the collection of information.

Q13 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).

A13. Over the next year, we estimate that MSIX SEA User Administrators who complete the suggested User Application Form will require a total of 30 minutes to create a registration for each user of MSIX. There are 52 participating SEAs, each with an estimated 200 users requiring applications and entry into the MSIX system, leaving an estimated of 9800 users. The initial cost of burden for an estimated 9800 users, at 30 minutes per entry at \$26.32 an hour, equals a projected annual cost of **\$128,968**.

Total Burden Hours

| By Reporting Timeframe | Annualized Burden for All Respondents |
|--------------------------------------|--|
| ANNUALIZED TOTAL FOR ALL SEAs | 4900 |
| Average Hours per SEA | .5 |

Q14 Provide estimated annualized cost to the Federal government.

A14. There is no new cost to the Federal government generated from this Information Collection. Federal government costs were identified in Migrant Student Information Exchange (MSIX) (18-14-04).

Q15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.

A15. This is a new information collection so there are burden increases resulting from program changes.

Q16. 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 or report, publication dates, and other actions.

A16. The collection of information does not require publication of the information or use of complex analytical techniques. Summary information may be reported by the Secretary in tabular form to the States, Congress and the public.

Q17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

A17. N/A.

Q18. Explain each exception to the certification statement identified in Item 20, "Certification for Paperwork Reduction Act Submissions, " of OMB Form 83-I.

A18. There are no proposed exemptions to the certifications.

B. Collections of Information Employing Statistical Methods

The data collection does not require that statistical methodology be employed.

FOR FURTHER INFORMATION CONTACT: Requesters may obtain a copy of the information collection documents from John Somensky, Department of Education, Office of Migrant Education, 400 Maryland Avenue SW, Washington, DC 20202, telephone (202) 260-1396, or by faxing your request to (202) 205-0089. Please cite Migrant Student Information Exchange (MSIX), in all correspondence.

ADDRESSES: Submit comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Jennifer Dozier, Office of Elementary and Secondary Education, U.S. Department of Education, Office of Migrant Education, 400 Maryland Avenue, SW, Room 3E227, Washington, DC 20202. Telephone: (202)205-4421. If you prefer to send comments through the Internet, use the following address: comments@ed.gov. Please cite "MSIX," in the subject line of the electronic message.