

**Supporting Statement for Paperwork Reduction Act Submissions
Student Transportation Form, Subpart H, 25 CFR 39.100-103
OMB Control Number 1076-0134**

Terms of Clearance: None

General Instructions

A Supporting Statement, including the text of the notice to the public required by 5 CFR 1320.5(a)(i)(iv) and its actual or estimated date of publication in the Federal Register, must accompany each request for approval of a collection of information. The Supporting Statement must be prepared in the format described below, and must contain the information specified in Section A below. If an item is not applicable, provide a brief explanation. When statistical methods are used, Section B "Collection of Information Employing Statistical Methods" must be completed. OMB reserves the right to require the submission of additional information with respect to any request for approval.

Specific Instructions

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 regulation mandating or authorizing the collection of information.**

Title XI of Pub.L. 95-561, the Education Amendments of 1978, as amended, require the Bureau of Indian Education (BIE) to administer elementary and secondary education programs for Indian Children. The student transportation system is a major portion of this operation. During Student Count Week, the last full week of September, BIA-funded schools must report school transportation mileage data. This information is used to allocate the available transportation funds. Subpart H, 25 CFR 39.100 lists information that BIE has determined is necessary to make allocations. A copy of the relevant regulation is attached.

- 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. [Be specific. If this collection is a form or a questionnaire, every question needs to be justified.]**

All 185 schools collect data on the student transportation mileage forms during Student Count Week. This information is used by BIE to allocate the funds received for student transportation, both on school bus routes and residential student miles. Without the total mileage data, BIE could not determine the per mile rate used to distribute the funds equitably in accordance with regulation.

Page one through page three consists of explanations, and instructions.

The first section, page four, of the Student Transportation Form asks for specific entry information for day students: school name, location code, vehicle identification number morning bus routes, Monday through Friday, including number of miles. The second section, page four, of the Student Transportation Form asks for specific entry information for day students: afternoon/evening bus routes Monday through Friday, including number of miles. There is a separate sheet for each bus.

The first section, page five, of the Student Transportation Form asks for specific entry information for day students: school name and location, lists each bus' average day's mileage, road conditions, and total mileage. The second section asks for certification information from the school Principal, and the Education Line Officer.

The first section, page six of the Student Transportation Form asks for specific entry information for boarding/dormitory students: school name, location code, vehicle identification number, average day's mileage, road conditions, and total mileage. The second section asks for certification information from the school Principal, and the Education Line Officer.

The first section, page seven of the Student Transportation Form asks for specific entry information for boarding/dormitory students traveling by charter or commercial bus: beginning and ending points of travel, and cost. The second section, page seven of the Student Transportation Form asks for specific entry information for boarding/dormitory students traveling by air: student name, grade, beginning and ending points of travel, and one way fare. The third section asks for certification information from the school Principal, and the Education Line Officer.

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

Data is collected from odometers of individual buses, actual travel tickets, and charter contracts. Computerizing the data is under development and full computerization is several years in the future. Meanwhile, school administrators will continue to upload the information they have reviewed in the old system to submit their totals.

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

The data is used solely for the distribution of transportation funds to BIA funded schools.

No other governmental entity collects this information and no similar information is collected at any level.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

This collection effort does not adversely affect small businesses, tribal governments, or other small entities.

6. Describe the consequence 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.

This information is collected annually during the Student Count Week. The information requested is the minimum necessary to equitably allocate funds to schools for allowable transportation costs they incur to fulfill the requirements in Title IX of Public Law 95-561. Without this information, schools would not receive their equitable share of the funds.

7. Explain any special circumstances 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.*

The collection is conducted only once a year during Student Count Week which is the last full week in September. Because student enrollments fluctuate, an annual collection is necessary. Schools are not required to collect information on short notice; because the collection data may change from year to year, there is no requirement for the schools to keep this information for BIE. Data does not identify individuals except for long distance transportation; therefore only part of the data requires Privacy Act

protection. No exceptions are requested or needed.

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 in response to the PRA statement associated with the collection over the past three years] and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

Staff from the tribally operated schools, staff from BIE, and other knowledgeable groups, such as state transportation departments, served on a committee that developed the data requirements. This collection was advertised in the Federal Register as a 60 day notice published on Wednesday, September 10, 2008 (73 FR 52671). No comments were received. A copy of that Federal Register is attached.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported. [Please list here the names, titles, addresses, and phone numbers of persons contacted.]

The following persons represent a cross-section of the kinds of schools in BIE from large to small, day to boarding as well as location. They work closely with the staff in setting up and conducting the survey and are well acquainted with the process. Numbers 1, 4, and 8 coordinate the transportation for their schools. The rest gather the information from the bus drivers. **Kathy Murray** is a registrar who works with the travel agents as well.

1. Ray Kinsland, Cherokee Boys Club, Cherokee Central Schools, NC 828-497-5511
2. Carol Roderick, Indian Island School, Old Town, ME 207-827-4285
3. Ella Mike, Pinon Community School, Pinon, AZ 928-725-2620
4. Dan Lund, Fond du Lac Ojibwe School, Colquet, MN 218-878-7586
5. **Kathy Murray**, Chemawa Indian School, Salem, OR 503-399-5721
6. Dave Stockwell, Blackwater Community School, Coolidge, AZ 520-215-5859
7. Linda Campbell, Santa Rosa Boarding School, Santa Rosa, AZ 520-361-2276
8. Fred Colhoff, Wounded Knee School District, Manderson, SD 605-455-6350
9. Pat Sandoval, Santa Fe Indian School, Santa Fe, NM 505-989-6397

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

No gifts or payments are provided for reporting this information.

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

The data collected is not of a confidential nature. Therefore, no assurances are necessary.

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.

No sensitive questions are asked on the forms.

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 then aggregate the hour burdens.
- * Provide estimates of annualized cost to respondents for 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 13.

Table 1 presents the burden on the public.

Table 1

# OF SCHOOLS PER YEAR	BURDEN PER REQMNT	CITATION (CFR cite)	REPORTING REQUIREMENT	FREQUENCY	ANNUAL BURDEN HOURS	Hours X Wage (\$12.59 X 1.4 = salary & benefits) = \$17.21
121	p4 of ISEP 10min/day x 5 day = 50 min/ per bus	25 CFR 39 Subpart H	Daily mileage of each vehicle by ID#; use average of 3 days only; even though 3 days only used, 5 days gathering mileage is required. The number of buses varies from 1 to 42, depending on the size of school. An average of 6 buses per school is used.	1	121 x 6 x 50 minutes = 605 hours	\$10,412.05
121	pp 5 & 6 of ISEP 30 min x 121 = 60.5 hrs	25 CFR 39 Subpart H	time spent by administrator doing calculation of mileage. The administrator makes distinction of unimproved/improved roads by using definition from the ISEP Student Membership Certification & Review Guide used by OIEP "unimproved roads are dirt roads that have not had sand,	1	60.5	\$1,041.21

			gravel, shale, or other materials applied and do not have drainage ditches and/or shoulders”			
121	P7 of ISEP 30 min x 121	25 CFR 39 Subpart H	time spent by administrator calculating commercial transportation used	1	60.5	\$1,041.21
Total for tribally operated schools:			605+60.5+60.5= 726 hours		Total	\$12,494.47

We used Table 1 from the National Employment and wage data from the Occupational Employment Statistics survey of May 2007 for school bus drivers.

<https://www.bls.gov/news.release/ocwage.t01.htm>

This method, using hourly salary multiplied by 1.4 to calculate benefits for the public, is based on BLS news release USDL: 07-1883 dated December 11, 2007.

13. Provide an estimate of the total annual [non-hour] cost burden to respondents or recordkeepers 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) 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 [including filing fees paid]. 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 purchasing or 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 or 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.

Associated time and equipment use (supplies and materials, telephonic/electronic communication devices, computer time, etc.) is considered to be minimal because nothing is added to existing stock.

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.

Table 2 addresses time spent by federal employees gathering information at BIE-operated schools.

Table 2

AVG # Bureau operated schools PER YEAR	BURDEN PER REQMNT	CITATION (CFR cite)	REPORTING REQUIREMENT	ANNUAL FREQUENCY	ANNUAL BURDEN HOURS	Hours X Wage (\$15.59 X 1.5 = salary & benefits) = \$23.385
64	10 min/day x 5day = 50 min/per bus	25 CFR 39 Subpart H	Daily mileage of each vehicle by ID#; use average of 3 days only; even though 3 days only used, 5 days gathering mileage is required. The number of buses varies from 1 to 42, depending on the size of school. An average of 6 buses per school is used.	1	64 schools x 6 buses x 50 min = 320 hours	\$7,483.20
Data for 64 higher graded admini- strators					30 min x 64 = 32 hrs	Hours X Wage (\$32.88 X 1.5 = salary & benefits) = \$49.32
64	30 min x 64 = 32 hrs	25 CFR 39 Subpart H	time spent by administrator doing calculation of mileage. The administrator make distinction of unimproved/improved roads by using definition from the ISEP Student Membership Certification & Review Guide used by OIEP "unimproved roads are dirt roads that have not had sand, gravel, shale, or other materials applied and do not have drainage ditches and/or shoulders"	1	32	\$1,578.24
64	30 min x 64	25 CFR 39 Subpart H	time spent by administrator calculating commercial transportation used	1	32	\$1,578.24
Total for BIA operated schools:			320+32+32 = 384 hours		Total	\$10,639.68

From the table that incorporates the 2.50% General Schedule Increase 2008:

For our purposes we are using a GS -7 step 1 salary for the daily mileage reporting.
GS - 7 step 1 - \$15.59 (salary) x 1.5 (benefits) = \$23.385/hr.

For our purposes we are using a GS – 13 step 1 for school administrators.
GS – 13 step 1 - \$32.88 (salary) x 1.5 (benefits) = \$49.32/hr

This method is based on BLS news release USDL: 07-1883 dated December 11, 2007.
https://www.opm.gov/oca/08tables/html/g_s_h.asp

Other Federal employees (Education Line Officers) use another 40 hours to compile the information from the schools, and develop the disbursement plan.

For our purposes we are using the General Schedule hourly rates for GS 13 step 1.
\$32.88/hour X 1.5 = \$49.32 X 40 = \$1,972.80.

Therefore, the total cost to the federal government is:

\$1,972.80 for Education Line Officers, plus
\$10,639.68 for Bureau-operated schools
\$12,612.48 (12,612. for ROCIS) TOTAL Cost to federal government

From the table that incorporates the 2.50% General Schedule Increase 2008:
GS - 13 step 1 - \$32.88 (salary) x 1.5 (benefits) = \$49.32/hr.

This method is based on BLS news release USDL: 07-1883 dated December 11, 2007.
https://www.opm.gov/oca/08tables/html/g_s_h.asp

15. **Explain the reasons for any program changes or adjustments reported in reporting and record keeping burden, and in capital start-up costs or O&M.**

There is no change from the previous renewal.

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 dates, and other actions.**

The data will be published as documentation for budget requests.

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

We intend to display the OMB expiration date on this form.

18. **Explain each exception to the certification statement identified in 5 CFR 1320.9 (hourly and cost burden) and 5 CFR 1320.8(b)(3) (the questions we ask commenters to address).**

No exceptions are necessary to the certification statement.