

**OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES
REHABILITATION SERVICES ADMINISTRATION
ASSISTIVE TECHNOLOGY ACT OF 1998, AS AMENDED
STATE PLAN FOR ASSISTIVE TECHNOLOGY**

REQUEST FOR RENEWAL WITH REVISIONS

**SUPPORTING STATEMENT REQUIRED UNDER
THE PAPERWORK REDUCTION ACT**

A. JUSTIFICATION

1. Circumstances that make the collection of information necessary.

Section 4 of the Assistive Technology Act of 1998, as amended (P.L. 108-364) (AT Act) provides grants to states to operate comprehensive statewide assistive technology programs (Statewide AT Programs) that increase access to and acquisition of AT devices and services for individuals with disabilities.

States are required to submit an application to the Rehabilitation Services Administration (RSA) in order to receive funds under this grant program. Section 4(d) of the AT Act requires that this application contain:

- (1) Information identifying and describing the lead agency and implementing entity (if applicable) responsible for carrying out the Statewide AT Program, and a description of how the implementing entity (if applicable) coordinates and collaborates with the state;
- (2) Measurable goals, and a timeline for meeting the goals, that the State has set for addressing the AT needs of individuals with disabilities in the State related to education, employment, community living, and information technology and telecommunications;
- (3) A description of how public and private entities were involved in the development of the application and will be involved in implementation of the grant, including the resources to be committed by these entities;
- (4) A description of how the Statewide AT Program will implement the activities required under the grant, which include state financing, device reutilization, device loans, device demonstrations, training, technical assistance, and public awareness. Statewide AT Programs must conduct these activities in coordination and collaboration with other appropriate entities;
- (5) An explanation of how the grant funds will be allocated, used, and tracked;
- (6) A set of assurances; and
- (7) A description of the activities that will be supported with state funds.

The full list of application requirements and assurances follows this supporting statement as an appendix. That appendix also indicates where and how the State Plan addresses these requirements.

In addition to being the format that states use to provide the required information listed above, RSA uses the application to request additional information necessary for determining compliance with other grant requirements, such as the composition of state advisory councils required under section 4(c)(2) of the AT Act. The State Plan for AT also contains assurances and other information required of any application for funds under the Education Department General Administrative Regulations (EDGAR).

Under the authority of 34 CFR 76.102, RSA requires that an application for funds under section 4 of the AT Act be a State Plan for Assistive Technology (State Plan for AT or State Plan). The first State Plans for AT were submitted to RSA in 2005 under OMB 1820-0664. RSA is requesting a renewal, with revisions, of the State Plan for AT because approval of 1820-0664 expires October 31, 2008.

2. Purposes for which the information is used.

The purpose of the State Plan for AT is determining a state's eligibility to receive a grant under section 4 of the AT Act. The information contained in the state plan enables RSA to determine whether the Statewide AT Program proposed by the state is consistent with the requirements of the AT Act. In addition, the State Plan for AT requests information necessary for basic program management, such as contact information for program personnel.

The information contained in State Plans for AT also is used to satisfy reporting requirements. Section 7(d) of the AT Act requires RSA to provide an annual report to Congress that must include a summary of the information provided in states' applications for funds.

In addition to being a source of information for the annual report to Congress, past experience has shown that the information in State Plans is needed to respond to requests for data. RSA frequently receives questions from, or presents information to, other Federal agencies, Congress, and the public on the AT Act. The information culled from State Plans enables RSA to answer common queries, such as how many programs undertake certain activities, how many programs are based in particular agencies, or how many programs collaborate with specified entities.

As explained in the following entry on "Use of Information Technology," the proposed State Plan for AT will be completed electronically and function as a searchable database. This will enable RSA to easily gather information to complete the report to Congress and respond to requests for information.

3. Use of information technology.

The proposed State Plan for AT is submitted electronically as an online survey. Using RSA's Management Information System (MIS), states will complete their plans via the Internet by entering data into fields, choosing from drop-down menus, selection via "check boxes," and narrative. Paper versions of the plan will neither be required nor accepted unless there is a technological barrier to use of the online system. The MIS will

serve not only as the venue for submitting the plans electronically, but also functions as a database to allow both RSA and the public to access information.

The MIS is compliant both with section 508 of the Rehabilitation Act of 1973, as amended and the Federal Information Management Security Act. The entities completing these State Plans already use the MIS for other purposes, such as completing SF-269s and annual reports (OMB 1820-0572).

An instruction manual accompanies the State Plan for AT. This will be distributed to states via e-mail and made available on the Department of Education's website.

4. Efforts to identify duplication.

The information collected by the State Plan for AT is not duplicative of information collected through other data collections or by other methods, with the exception of basic contact information for program personnel.

States receiving grants under the AT Act respond to a number of information collections for a number of purposes, all of which are entered electronically into RSA's MIS. These include 1820-0572, 1820-0662, and another information collection currently being reviewed by OMB. RSA is exploring whether the MIS can cross-populate basic program information (e.g., addresses, telephone numbers) from one collection to the other so states need enter this information only once.

While it is not a duplication of information, some information collected via 1820-0572 is related to information in the State Plan for AT. As explained above, the State Plan for AT must contain measurable goals. The data on a state's performance is collected and calculated via 1820-0572 while the goals themselves are set and tracked in the State Plan for AT (see Section H of the State Plan). RSA is exploring whether the MIS can cross-populate this information from one collection to the other.

5. Collection of information involving small entities.

No information is collected from small entities.

6. Consequence to Federal program or policy activities if the collection is conducted less frequently.

States only are required to submit a new plan every three years. Requiring that State Plans for AT be renewed every three years is consistent both with 34 CFR section 76.103 (which requires that any state plan cover a multi-year period) and the effective period of the plan cannot be longer because three years is the maximum approval period for an information collection.

During the three year effective period of the plan, individual states may update the plan as necessary to ensure its accuracy (i.e., if a state changes how it conducts its activities,

the State Plan must be updated to reflect that change). States also must set new measurable goal targets every year based on their data from the prior year.

7. Special circumstances that require the collection to be conducted in a manner inconsistent with the guidelines in 5 CFR 1320.5.

There are no special circumstances that make this collection inconsistent with 5 CFR 1320.5.

8. Efforts to consult with persons outside the agency.

The existing State Plan for AT has been in effect for nearly three years. During that period, RSA has received feedback about the existing format. RSA also has learned from the process of implementing the current State Plan. The feedback received and lessons learned drove the concept of the State Plan as an online survey and the development of a first draft.

RSA reviewed the draft State Plan for AT with a group of ten directors of Statewide AT Programs in November 2007. Those directors provided feedback that influenced the second draft. The second draft was presented to an annual meeting of all the directors of the Statewide AT Programs in May 2008. Feedback from that meeting was used to develop an online prototype of the state plan. This online prototype then was tested by six directors of Statewide AT Programs and modified according to their input.

9. Payments or gifts to respondents

No payments or gifts will be given to respondents.

10. Assurances of Confidentiality

The State Plan contains no personally identifiable information, with the exception of contact information for personnel involved in the Statewide AT Program. This information already is publicly available.

11. Questions of a sensitive nature.

This information collection contains no questions of a sensitive nature.

12. Cost estimates of the hour burden of the collection requirements.

a.	Number of respondents	-- 56
b.	Frequency of response	-- 1
c.	Total annual responses (axb)	-- 56
d.	Hours per response	-- 75
e.	Total burden hours (cxd)	-- 4200
f.	State hourly rate of salary	-- \$60.00

g. Total cost (exf) -- \$252,000.00

As stated earlier, six directors of Statewide AT Programs beta-tested the online State Plan for AT. The directors were chosen to represent the diversity of Statewide AT Programs based on regions of the country, sizes of the programs, types of agencies operating the programs, and whether or not the director was an individual with a disability. This burden estimate is the average of the time they reported for their beta-test as well as the time to consult with their advisory councils and receive approval of the plans from their state agencies.

The range of “hourly rate of salary” was based on estimates from the previous version of the State Plan adjusted for inflation.

13. Cost burden to respondents or record keepers from the collection of information.

There are no additional or new costs to respondents. Respondents only need to have a computer and internet access to complete the State Plan for AT.

14. Annualized cost to the Federal Government.

RSA also employs two program specialists at the GS-13 level who dedicate a portion of their time to the administration the AT Act program. These program specialists are housed in the Service Programs Unit, which is overseen by a Unit Chief and Director who also dedicate a portion of their time to Telework. RSA also employs an information technology specialist in the Program Support Staff Unit, who will build the Telework data collection system in the MIS upon OMB approval of this instrument. The estimated annualized cost to the Federal government for RSA staff time is \$16,000 based on the salaries of these staff and how their time is apportioned to the State Plan.

15. Reasons for change in burden.

The revisions to this information collection reduce burden due to the use of technology and simplification of the reporting format. The current State Plan for AT is a paper document that consists mostly of narrative responses. The revised state plan is completed entirely electronically and replaces much of the narrative with check boxes, drop-down menus, and data fields.

The decision to simplify the State Plan for AT was the result of lessons learned from implementing the previous state plan. The information provided in the plans submitted by states in 2005 revealed patterns of implementation that could be captured by selecting from a menu of choices rather than by narrative. Searching narratives for the information necessary to respond to queries was difficult -- a problem that is alleviated by the plans being entered into a database.

Another reason that the State Plan for AT as approved in 2005 was more burdensome is that RSA used it to assess compliance and as an annual report for each state. Separate mechanisms for annual reporting and compliance assessment now have been developed, so the state plan no longer needs to serve those functions.

16. Publishing of the collection of information.

According to EDGAR, all state plans are public information, so the public will be able to access the State Plans for AT via the MIS. This includes data from individual states and aggregated data. The data entered into each section of the MIS will be used to generate a state plan “report” for each state. The format of this report has not yet been determined, but will be determined with the input of stakeholders.

As previously stated, the annual report to Congress on the AT Act also contains a summary of information from state plans. This generally takes the form of state-by-state tables in the report and a one-page profile of each state plan as an appendix to the report.

17. Displaying the expiration date for OMB approval.

The burden statement and expiration dates for the State Plan are featured on the first pages of both the MIS and the instruction manual.

18. Exceptions to the certification statement.

There are no exceptions to the certification statement.

B. Collections of Information Employing Statistical Methods

This information collection does not use statistical methods.

APPENDIX

REQUIREMENTS RELATED TO THE STATE PLAN FOR AT

Requirement	Where and How the State Plan Addresses this Requirement
<p>From section 4(d):</p> <p>(1) IN GENERAL.—Any State that desires to receive a grant under this section shall submit an application to the Secretary, at such time, in such manner, and containing such information as the Secretary may require.</p>	<p>N/A</p>
<p>(2) LEAD AGENCY AND IMPLEMENTING ENTITY.—The application shall contain information identifying and describing the lead agency referred to in subsection (c)(1)(A). The application shall contain information identifying and describing the implementing entity referred to in subsection (c)(1)(B), if the Governor of the State designates such an entity.</p> <p>[Section 4(c) has related a related requirement:</p> <p>“On obtaining the approval of the Secretary, the Governor may redesignate the lead agency, or the implementing entity, if the Governor shows to the Secretary good cause why the entity designated as the lead agency, or the implementing entity, respectively, should not serve as that agency or entity, respectively. The Governor shall make the showing in the application described in subsection (d).”]</p>	<p>Section A includes items identifying and describing the lead agency and implementing entity (if applicable), as well as requiring information about any changes to these respective entities.</p>

<p>(3) MEASURABLE GOALS.—The application shall include—</p> <p>(A) measurable goals, and a timeline for meeting the goals, that the State has set for addressing the assistive technology needs of individuals with disabilities in the State related to—</p> <p>(i) education, including goals involving the provision of assistive technology to individuals with disabilities who receive services under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.);</p> <p>(ii) employment, including goals involving the State vocational rehabilitation program carried out under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.);</p> <p>(iii) telecommunication and information technology; and</p> <p>(iv) community living; and</p> <p>(B) information describing how the State will quantifiably measure the goals to determine whether the goals have been achieved.</p>	<p>Section H (items 27 and 28) is where states set targets and report on progress toward measurable goals. The methods for measuring the goals are described and conducted under a different data collection, 1820-0572.</p>
<p>(4) INVOLVEMENT OF PUBLIC AND PRIVATE ENTITIES.—The application shall describe how various public and private entities were involved in the development of the application and will be involved in the implementation of the activities to be carried out through the grant, including—</p> <p>(A) in cases determined to be appropriate by the State, a description of the nature and extent of resources that will be committed by public and private collaborators to assist in accomplishing identified goals; and</p> <p>(B) a description of the mechanisms established to ensure coordination of</p>	<p>Sections C-G all contain items where states identify the activities in which public and private entities are involved, what entities are involved, and how they are involved.</p> <p>Section A includes an item to describe the mechanisms for coordination and collaboration between the implementing entity and state, if applicable.</p>

<p>activities and collaboration between the implementing entity, if any, and the State.</p>	
<p>(5) IMPLEMENTATION.—The application shall include a description of— (A) how the State will implement each of the required activities described in subsection (e), except as provided in subsection (e)(6)(A); and (B) how the State will allocate and utilize grant funds to implement the activities, including describing proposed budget allocations and planned procedures for tracking expenditures for activities described in paragraphs (2) and (3) of subsection (e).</p>	<p>Section B is where states identify the activities they will undertake, how they will allocate funds to those activities, and how they will track their expenditures.</p> <p>Sections C-G ask a series of questions about each activity the state conducts, such as the kinds of locations from which the activity is performed, how the activity is made available to consumers, policies related to the activity, and other questions that indicate how the activity is implemented.</p>
<p>(6) ASSURANCES.—The application shall include assurances that— (A) the State will annually collect data related to the required activities implemented by the State under this section in order to prepare the progress reports required under subsection (f); (B) funds received through the grant— (i) will be expended in accordance with this section; and (ii) will be used to supplement, and not supplant, funds available from other sources for technology-related assistance, including the provision of assistive technology devices and assistive technology services; (C) the lead agency will control and administer the funds received through the grant; (D) the State will adopt such fiscal control and accounting procedures as may be necessary to ensure proper disbursement of and accounting for the funds received through the grant; (E) the physical facility of the lead agency and implementing entity, if any, meets the requirements of the Americans with</p>	<p>Assurances are found in Section H.</p>

<p>Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) regarding accessibility for individuals with disabilities;</p> <p>(F) a public agency or an individual with a disability holds title to any property purchased with funds received under the grant and administers that property;</p> <p>(G) activities carried out in the State that are authorized under this Act, and supported by Federal funds received under this Act, will comply with the standards established by the Architectural and Transportation Barriers Compliance Board under section 508 of the Rehabilitation Act of 1973 (20 U.S.C. 794d); and</p> <p>(H) the State will—</p> <p>(i) prepare reports to the Secretary in such form and containing such information as the Secretary may require to carry out the Secretary’s functions under this Act; and</p> <p>(ii) keep such records and allow access to such records as the Secretary may require to ensure the correctness and verification of information provided to the Secretary under this subparagraph.</p>	
<p>(7) STATE SUPPORT.—The application shall include a description of the activities described in paragraphs (2) and (3) of subsection (e) that the State will support with State funds.</p>	<p>Sections C-G require the state to report those activities supported by the state and the kind of support provided.</p>
<p>From section 4(c):</p> <p>(2) ADVISORY COUNCIL.—</p> <p>(A) IN GENERAL.—There shall be established an advisory council to provide consumer-responsive, consumer-driven advice to the State for, planning of, implementation of, and evaluation of the activities carried out through the grant,</p>	<p>Section B is where states identify the membership of their council and provide an assurance that the composition of the council is representative of the state.</p>

including setting the measurable goals described in subsection (d)(3).

(B) COMPOSITION AND REPRESENTATION.—

(i) COMPOSITION.—The advisory council shall be composed of—

(I) individuals with disabilities that use assistive technology or the family members or guardians of the individuals;

(II) a representative of the designated State agency, as defined in section 7 of the Rehabilitation Act of 1973 (29 U.S.C. 705) and the State agency for individuals who are blind (within the meaning of section 101 of that Act (29 U.S.C. 721)), if such agency is separate;

(III) a representative of a State center for independent living described in part C of title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796f et seq.);

(IV) a representative of the State workforce investment board established under section 111 of the Workforce Investment Act of 1998 (29 U.S.C. 2821);

(V) a representative of the State educational agency, as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801); and

(VI) representatives of other State agencies, public agencies, or private organizations, as determined by the State.

(ii) MAJORITY.—

(I) IN GENERAL.—A majority, not less than 51 percent, of the members of the advisory council, shall be members appointed under clause (i)(I).

(II) REPRESENTATIVES OF AGENCIES.—Members appointed under subclauses (II) through (VI) of clause (i) shall not count toward the majority membership requirement established in subclause (I).

<p>(iii) REPRESENTATION.—The advisory council shall be geographically representative of the State and reflect the diversity of the State with respect to race, ethnicity, types of disabilities across the age span, and users of types of services that an individual with a disability may receive.</p> <p>(C) EXPENSES.—The members of the advisory council shall receive no compensation for their service on the advisory council, but shall be reimbursed for reasonable and necessary expenses actually incurred in the performance of official duties for the advisory council.</p> <p>(D) PERIOD.—The members of the State advisory council shall be appointed not later than 120 days after the date of enactment of the Assistive Technology Act of 2004.</p> <p>(E) IMPACT ON EXISTING STATUTES, RULES, OR POLICIES.— Nothing in this paragraph shall be construed to affect State statutes, rules, or official policies relating to advisory bodies for State assistive technology programs or require changes to governing bodies of incorporated agencies who carry out State assistive technology programs.</p>	
<p>From EDGAR 76.104:</p> <p>A State shall include certain certifications in its State plan.</p> <p>(a) A State shall include the following certifications in each State plan:</p> <p>(1) That the plan is submitted by the State agency that is eligible to submit the plan.</p> <p>(2) That the State agency has authority under State law to perform the functions of the State under the program.</p>	<p>Certifications are found in Section H.</p>

<p>(3) That the State legally may carry out each provision of the plan.</p> <p>(4) That all provisions of the plan are consistent with State law.</p> <p>(5) That a State officer, specified by title in the certification, has authority under State law to receive, hold, and disburse Federal funds made available under the plan.</p> <p>(6) That the State officer who submits the plan, specified by title in the certification, has authority to submit the plan.</p> <p>(7) That the agency that submits the plan has adopted or otherwise formally approved the plan.</p> <p>(8) That the plan is the basis for State operation and administration of the program.</p>	
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