SUPPORTING STATEMENT

A. JUSTIFICATION

Q1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attached is a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

The "Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009,"[1] signed into law on September 30, 2008 (Public Law 110-329), requires the U.S. Department of Education (ED) within 120 days to provide $15,000,000 in financial assistance directly to local educational agencies (LEAs) that had an increase in children and youth made homeless by natural disasters[2] in calendar year 2008 through a new one-year program, the Homeless Education Disaster Assistance program (HEDA). HEDA's purpose is to partially compensate these LEAs for serving the educational and related needs of all homeless students in their district consistent with section 723 (d) of the McKinney-Vento Homeless Assistance Act (McKinney-Vento Act).

Many LEAs around the nation have experienced an increase in the number of homeless students due to natural disasters in 2008 and consequently need additional resources to meet their obligations to educate their homeless students. Therefore, it is extremely important that LEAs, particularly those most affected, have access to these funds as soon as possible.

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.

The information is collected in the form of a single application submitted by LEAs and consortia of LEAs. Applicants will provide the counts of homeless students and an assurance that they have auditable records for the counts. ED will review the applications for eligibility and plans to award the $15,000,000 on a per-pupil formula basis.[3]

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.

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[1] The law may be accessed at: http://thomas.loc.gov/cgi-bin/bdquery/z?d110:h.r.02638:

[2] For purposes of this program, a natural disaster is one for which the President declared a major disaster under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974. Those disasters are listed on the web site of the Federal Emergency Management Agency (FEMA) at http://www.fema.gov/news/disasters.fema?year=2008.

[3] Eligible applicants are LEAs and consortia of LEAs that had at least 50 enrolled students in kindergarten through grade twelve who became homeless as a result of a natural disaster that occurred during 2008.

The information will be collected through an electronic application in which applicants will provide the information described in Q2.

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.

The information is relevant only to applications for HEDA. There is no similar information available in other forms, or as the result of other information collections. This information collection does not duplicate any other information collection effort.

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.

Some small LEAs or consortia of small LEAs may be eligible. The limited information in the application that applicants, including small LEAs, are required to provide should help minimize burden.

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.

The HEDA program could not be implemented without the collection of information required in the application. ED needs to know the count of homeless students to determine which applicants applying are eligible and the amount that they will receive. If HEDA funds were not provided promptly to LEAs, this situation would be harmful to LEAs and the homeless students they serve, as well as be inconsistent with Congress's intent that ED award the grants in a timely manner. As described above, many LEAs around the nation have experienced an increase in the number of homeless students due to natural disasters in 2008 and consequently need additional resources to meet their obligations to educate their homeless students. Therefore, it is extremely important that LEAs, particularly those most affected, have access to these funds as soon as possible. Concerning frequency, the data collection occurs only once (when applications for the grants are solicited).

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.*

This collection is consistent with 5 CFR 1320.5.

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 those 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 preclude consultation in a specific situation. These circumstances should be explained.

There have been consultations with personnel from within ED as well as informal conversations with homeless education coordinators at State educational agencies. Discussions such as these provide opportunities to solicit feedback regarding issues and concerns regarding the implementation of the program, including the applicant eligibility criteria and the application.

Q9. Explain any decision to provide any payment or gift to respondents, other than renumeration of contractors or grantees.

No payments or gifts to respondents have been made.

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

There is no assurance of confidentiality.

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.

There are no questions of a sensitive nature.

Q12. 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 aggregate the hour burdens in Item 13 of OMB Form 83-I.*

- *Provide estimates of annualized cost to respondents of 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 14.*

A. <u>Burden hours for respondents</u>

ED estimates that approximately 500 applicants (LEAs and consortia of LEAs) will apply. The average burden for the application is estimated to be 20 hours per applicant (eight hours for finalizing the count of homeless students and 12 hours for completing and submitting the application) for 10,000 burden hours total.

B. <u>Cost to Respondents</u>

ED estimates that the per-hour cost at the LEA level will average $25 per person hour for a total of $250,000.

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.)

- *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. 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 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.*

There are no costs that (a) meet the criteria for inclusion under this item and (b) have not been addressed in either item #12 or #14.

Q14. 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.

The Federal costs will involve reviewing the LEA applications, calculating the LEA amount, and awarding the HEDA funds to LEAs:

- Grade 13: 50 hours at $32.88/hour = $1,644
- Grade 14: 40 hours at $38.86/hour = $1,554
- Grade 15: 25 hours at $45.71/hour = $1,143

Estimated Federal cost = $4,341

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

This is a new request with a program change of 10,000 hours.

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 of report, publication dates, and other actions.

There are no plans to publish the results of this data collection.

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.

No request is being made to not display the expiration date for OMB approval of the information collection.

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

There are no exceptions to the referenced certification statement.

A. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

This information collection does not employ statistical methods.