

Attached below please find OMB's comments on the subject collection. **Please submit responses no later than COB Friday, May 18th.** Thanks.

1. Please explain which policy requires hard signatures for these applications, as described in item #3 on the supporting statement ("On behalf of the applicant state educational agency, Chief Executive Officers are required to provide an original signature when applying for funding assuring the Department that all information given is accurate and that they will comply with the statute.") If the requirement is statutory or regulatory, please provide OMB with the relevant citation.

Response: If a state is deemed eligible under the LEAP Program, the current application is the Department's only participating agreement or assurance of compliance between the eligible state and the Department. There is no longer a statutory or regulatory requirement for states to do so other than it being program procedure. With the recent changes or additions to 34 CFR 76.720, it is our intent to modify the forms in the near future to move away from this procedure of requiring a state to mail in signed assurance pages. The program office is currently exploring other cost-efficient alternatives to improving the process of submission under these programs and perhaps a solution may be as simple as developing a submission statement on the form that the states check or agree to at the time of submission.

2. This application is for SEA reporting to ED and will be collecting data electronically. Will FSA make use of the Department's ED Facts system? If not, please explain why ED Facts is not an appropriate vehicle for this collection. Also, if ED Facts is not used, is the Dept building a separate system for submissions or does the electronic nature of these submissions refer to sending Excel files via email?

Response: No, FSA does not make use of the Department's ED Facts system. This system, designed to collect K-12 data from states, does not allow for collection of the data relevant to ensure compliance under the LEAP/SLEAP program which are postsecondary, formula-grant programs. FSA has designed a means for states to submit information on-line through its financial management system (FMS). However, the on-line system is rather cumbersome for states to utilize and due to the overall low level of submissions, we allow for electronic submission of the form via e-mailed files. There is only the possibility of 56 submissions as only state educational agencies, one per state or insular territory, are eligible to apply. Also, operationally, the FSA FMS currently does not link for data transmission to the Department's Grants Administration and Payments System (GAPS) which is the system used to allot and obligate funding. In recent years, the Administration, has recommended that the LEAP/SLEAP programs not be funded. Due to this reason, reasons of priority, and overall size of the program, it is not feasible at this time for the Department to allocate resources to building or improving the current infrastructure to administer these programs. Again, the program office is, however, exploring other cost-efficient alternatives to improving this process such as developing user-friendly PDF version of the form that will allow for the electronic submission of data.

3. The summary of this ICR states "There are, however, some additional items pertaining to the SLEAP Program which combines the application into one form for both programs." This isn't mentioned elsewhere in the submission. Please provide further explain of: 1) why the programs are combining applications; 2) why this doesn't affect the burden calculation; and 3) what changes to the forms this necessitates.

Response: If you refer to Item 8 on the Supporting Statement, you'll find that we do mention that the form "only additionally incorporates items needed to determine a state's eligibility under the SLEAP program. Since the development of this combined form, members of the NASSGAP and other state agency officials have been invited to provide the Department with comments and suggestions concerning this information collection as program officials meet on a twice-annually basis."

The SLEAP program is a sub-program under LEAP. States must be deemed eligible and participate in LEAP before it can be deemed eligible to participate in SLEAP. Rather than have a separate application process for the subprogram, we developed one application that would allow states to apply for both programs. All states are utilizing the SLEAP monies awarded to them as supplemental to their LEAP program and therefore, does not create additional burden on states as they already collect this data on the students within their states. They simply report a portion of these students either as LEAP and/or SLEAP recipients. We only collect data that is absolutely necessary to ensure statutory and regulatory compliance under these program. Although SLEAP is a subprogram of LEAP, it has its own unique statutory requirements that states shall comply with as part of its participation.

4. The form itself asks about prior year funding levels and student counts. Doesn't FSA already have this data? What is the need to re-collect this data rather than use existing administrative data?

FSA only asks for prior year state-funding levels for two reasons: 1) to ensure the state is maintaining and will continue to maintain its level of expenditures as required by program statute as we look at prior three-year average, and 2) speaking to the prior year expenditures, we want to ensure that if there were any changes in its level of expenditures after the state has already submitted its performance report for that year, that the Department has received an updated report reflecting the change. As far as the FTE student data that the form speaks to, no, FSA does not have this data. In almost 100% of cases, the states do not even need to complete or submit this data. We allow the state to complete this data if it think it may fail the three year aggregate expenditure MOE level.

I hope this addresses your questions and concerns. Please, if you have any further questions, don't hesitate to contact me on 202-369-9560.

Sincerely,

Greg Alan Gerrans
LEAP Program Manager
ED/FSA/Business Operations Channel/Financial Partner Services