

## **SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT SUBMISSION**

Information Collections under the Final Regulations Governing the Student Assistance General Provisions – Readmission for Servicemembers.

### **A. Justification**

#### **1. Necessity of Information Collected**

As provided by the Higher Education Opportunity Act, the final regulations establish the requirements under which an institution must readmit servicemembers with the same academic status they had at the institution when they last attended (or where accepted for attendance). The final regulations require institutions to charge readmitted servicemembers, for the first academic year of their return, the same institutional charges they were charged for the academic year during which they left the institution (see section 484C of the HEA).

These final regulations are a result of regulatory review of the program regulations to provide benefits to students, and protect the taxpayers' interest. This request is for approval of recordkeeping requirements contained in the attached final regulations related to the administrative requirements of the readmission requirements for servicemembers program. The information collection requirements in these final regulations are necessary to determine eligibility to receive program benefits and to prevent fraud and abuse of program funds.

#### **General Provisions:** (OMB control number: 1845-NEW1)

Section 668.18 contains information collections requirements. Under the Paperwork Reduction Act of 1995 (44 U.S.C. 3507(d)), the Department of Education is submitting a copy of this section to the Office of Management (OMB) for its review. We are making the following changes to that section:

#### **Section 668.18 (c) – Readmission procedures**

The final regulations create procedures to provide for, effective August 14, 2008, the readmission of a student who was required to leave an institution of higher education in order to fulfill a service requirement in the uniformed services. An institution is not allowed to deny readmission under prescribed conditions.

#### **Section 668.18(g) – Documentation**

The student who wishes readmission to an institution of higher education under this regulatory section shall provide documentation to the designated institution office(s) showing they haven't exceeded the allowed service limitations and are eligible for readmission. Examples of acceptable documentation are included in this regulatory section.

## **2. Purpose and Use of Information Collected**

The returning servicemember will provide documentation to the institution's designated office(s) for the institution to determine eligibility for readmission by evidencing the time served and the continuing eligibility of the servicemember for readmission.

## **3. Consideration of Improved Information Technology**

The examples of satisfactory documents are all paper documents provided to the servicemember at the completion of the tour of service that caused the enrollment separation.

## **4. Efforts to Identify Duplication**

There is no duplication of data as a result of the collection of this information.

## **5. Burden Minimization as Applied to Small Business**

No small businesses are impacted by this collection.

## **6. Consequences of Less Frequent Data Collection**

Recordkeeping requirements are imposed to assure accountability of program participants for proper program administration and less frequent collection could impair accountability of program participants.

## **7. Special Circumstances Governing Data Collection**

The information collection requirements require no special circumstances.

## **8. Consultation Outside the Agency**

These regulations were discussed with members of the higher education community and other interested parties in a series of Negotiated Rulemaking sessions in March, April and May of 2009. Additionally, we published 60 and 30-day *Federal Register* notices allowing the public to provide their comments.

## **9. Payment or Gift to Respondents**

No payments or gifts will be provided to the respondents.

## **10. Assurance of Confidentiality**

These requirements do not cover any confidential information.

## **11. Questions of a Sensitive Nature**

ED is not requesting any sensitive data.

**12. Annual Hour Burden for Respondents/Recordkeepers**

We estimate the number of servicemembers who will apply for readmission under this regulation to 2,256 in the first year. We estimate that it will take each servicemember approximately 10 minutes to gather together the appropriate documentation to provide to the school.

We estimate the hours for schools to process the information provided will be approximately 30 minutes per individual servicemember.

Affected Entities and Burden:

	<u># of Respondents</u>	<u># of Responses</u>	<u># of Hours Burden</u>
Individuals	2,256	2,256	X .17 hours = 384 hours
Institutions:			
Public	745	745	X .50 hours = 373 hours
Private	699	699	X .50 hours = 350 hours
<u>Proprietary</u>	<u>812</u>	<u>812</u>	<u>X .50 hours = 406 hours</u>
Subtotal	2,256	2,256	1,129 hours
TOTAL	4,512	4,512	1,513 hours

**Annual Cost of Burden to Respondents**

We estimate that the cost to the institutional respondents will be:

	<u># of Respondents</u>		<u>Est. \$ per Response</u>	<u>Est. \$ Burden</u>
Individuals	2,256		.44	= \$993
Institutions:				
Public	745	X	\$15	X .50 hours = \$5,588
Private	699	X	\$15	X .50 hours = \$5,243
<u>Proprietary</u>	<u>812</u>	<u>X</u>	<u>\$15</u>	<u>X .50 hours = \$6,090</u>
Subtotal	2,256			\$16,921
TOTAL	4,512			\$17,914

**13. Start-up Cost Burden to the Respondents**

There is no new system start-up costs associated with these final regulations.

**14. Estimated of Annual Cost to the Federal Government**

There are no additional costs to the Federal government as a result of the final regulation.

**15. Reasons for Changes to Burden Hour Estimated**

The changes to the burden hour estimates are a result of regulatory changes to implement the statutory changes made by the Higher Education Opportunity Act (HEOA) (Pub. L. 110-315) to the Higher Education Act of 1965, as amended (HEA). A summary is provided below.

Respondents, Responses and Burden Hours:

	<u># of Respondents</u>	<u># of Responses</u>	<u># of Hours Burden</u>
New Inventory	4,512	4,512	1,513 hours

**16. Collection of Information with Published Results**

The results of the collection of information will not be published.

**17. Approval to Not Display Expiration Date**

ED is not seeking this approval.

**18. Exception to the Certification Statement**

ED is not requesting any exceptions to the “Certification for Paperwork Reduction Act Submissions” of OMB Form 83-1.