

**Office of Special Education and Rehabilitative Services
Rehabilitation Services Administration
Assistive Technology Act Annual Data Collection Report**

**SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT
SUBMISSION**

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.

The information collected through this data collection instrument (OMB No. 1820-0572) is necessary for the Rehabilitation Services Administration (RSA) and states to comply with Sections 4 and 7 of the Assistive Technology Act of 1998, as amended (AT Act), and for states to satisfy the reporting requirements in 34 CFR 76.720, which requires an annual report of program performance. Approval to use the current 1820-0572 expires January 31, 2010. RSA is requesting an extension of this IC without changes until September 30, 2011. RSA is not requesting an extension for the allowable three years because we anticipate new data reporting requirements as a result of the reauthorization of the Assistive Technology Act of 1998, as amended in 2004, which is due in 2010. RSA plans to submit a revision and renewal request to OMB that will align with the reporting period and respond to the requirements in the new statute.

Section 4 Requirements Necessitating Data Collection

Section 4 of the AT Act authorizes grants to public agencies in the 50 states and the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Marianas (states and outlying areas). With these funds, the 56 states and outlying areas operate "Statewide AT Programs" that conduct activities to increase access to and acquisition of assistive technology (AT) for individuals with disabilities. These comprehensive activities are divided into two categories: "State-level Activities" and "State Leadership Activities."

According to Section 4 of the AT Act, as a condition of receiving a grant to support their Statewide AT Programs the 56 states and outlying areas must provide to RSA: (1) applications and (2) annual progress reports on their activities.

Applications: The application required of states and outlying areas is a three-year State Plan for Assistive Technology (State Plan for AT or State Plan) (OMB No. 1820-0664). The contents of the State Plan for AT are based on the requirements in Section 4(d) of the AT Act. As a part of this State Plan, Section 4(d)(3) of the AT Act requires that states and outlying areas set measurable goals for addressing the assistive technology needs of individuals with disabilities in education, employment, community living and information technology/telecommunications.

Every state and outlying area is required to include a minimum of seven prescribed measurable goals in its State Plan. These seven goals apply to all states and outlying areas in order to aggregate information on performance of the program at the national level. National aggregation of data related to these goals is necessary for GPRA, as well as an Annual Report to Congress (see “Section 7 Requirements Necessitating Collection” below). Therefore, this data collection instrument provides a way for all 56 states and outlying areas to collect and report data on their performance in a consistent manner, including a uniform survey to be given to consumers. This uniform survey is included as part of the data collection package.

Annual Reports: In addition to submitting a State Plan every three years, states and outlying areas are required to submit annual progress reports on their activities. The data required in that progress report is specified in Section 4(f) of the AT Act.

Section 7 Requirements Necessitating Collection

Section 7(d) of the AT Act requires that RSA submit to Congress an annual report on the activities conducted under the Act and an analysis of the progress of the states and outlying areas in meeting their measurable goals. This report must include a compilation and summary of the data collected under Section 4(f). In order to make this possible, states and outlying areas must provide their data uniformly. This data collection instrument was developed to ensure that all 56 states and outlying areas report data in a consistent manner in alignment with the requirements of 4(f).

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.

As stated above, RSA uses the information collected via this instrument to:
(1) Assess the progress of states and outlying areas regarding measurable goals in their State Plans for AT;

- (2) Complete the required annual report to Congress; and
- (3) Comply with GPRA.

In addition, RSA uses this data to inform its program management, monitoring and technical assistance efforts. States and outlying areas are able to use the data for internal program management and improvement.

3. 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.

The annual AT Act data collection is submitted electronically using RSA's Management Information System (MIS). Paper versions of the plan are neither 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 data electronically, but also does some calculations for grantees and 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 the annual data report already use the MIS for other purposes, such as completing SF-269s and State Plans for AT (OMB No. 1820-0664).

4. 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.

Data collected on State Financing Activities (see pages 5 through 16 of the instrument) is duplicative of information collected under title III of the Assistive Technology Act of 1998 as in effect prior to the 2004 amendments. Under a separate funding authority, title III provided for alternative financing programs (AFPs) that operate in perpetuity. 33 states received AFP grants funded under title III. Title III has its own data collection requirements and its own web-based data collection instrument (OMB No. 1820-0662) in RSA's MIS.

Because Section 4 of the AT Act includes AFPs as a form of state financing activity, many states have incorporated their existing title III AFP into their

State Plan for AT. However, a single data collection instrument cannot capture the entire universe of data, or entities needing to report that data for both title III and Section 4 because:

- (a) the data collection requirements of section 4 and Title III are similar but not the same, so it is not possible to use one as a proxy for the other; and
- (b) not all states have both title III and section 4 grants, and, when a state does have both grants, both grants do not always go to the same agency.

Other than some duplication of title III data, this data collection instrument is unique to section 4 of the AT Act and does not duplicate other data collection efforts. When possible, terminology, definitions and other features of this instrument are aligned with data collection instruments already used by AT Act grantees for other purposes.

5. If the collection of information impacts small businesses or other small entities (Item 8b of IC Data Part 2), describe any methods used to minimize burden.

No information is collected from small entities.

6. 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.

If this information is not collected, neither RSA nor states can fulfill their reporting obligations under Sections 4 and 7 of the AT Act. Those obligations are annual, so the data collection cannot occur less frequently than annually.

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 than 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 proposed data collection is consistent with guidelines set forth in 5 CFR 1320.5 and requires no special circumstances.

- 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 describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

This notice has yet to be published. This item will be updated after the public comment period, as necessary.

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.

This is a request for an extension of a currently approved instrument without changes. Stakeholders were involved extensively in the creation of the annual data collection instrument when it was originally approved and support its continued use.

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

A data collection meeting was held with representatives of several statewide AT programs August 6-7, 2009 in Washington, DC to discuss proposed changes to the data collection instrument. As a result of this meeting, RSA is requesting an extension of this IC without changes, since we anticipate new data reporting requirements from the reauthorization of the Assistive Technology Act of 1998, as amended in 2004, which is due for reauthorization in 2010. RSA will work with the AT programs on revisions to the current instrument in the near future and plans to submit a revision and renewal request to OMB that will align with the reporting period and respond to the requirements in the new statute.

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

No payments or gifts are provided to respondents.

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

This information collection includes no questions of a confidential nature.

Confidentiality for individual consumers receiving services from a Statewide AT Program is assured because the states will not report information that identifies individual consumers. States will provide anecdotes about the effect of their programs on individual consumers, but states are instructed to write anecdotes in a manner that ensures their anonymity. All other data provided is reported in the aggregate, including performance measure and customer satisfaction surveys.

Once a report has been finalized by the state and approved by RSA, access to the data will be available to the public via the Internet, though the public

will be able to view and not alter the data. States will be advised that their data will be available to the public in this manner. Public availability of this data is consistent with the public availability of the State Plans for AT.

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. The 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.

This information collection contains no questions of a sensitive nature.

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 aggregate the hour burdens in item 16 of IC Data Part 1.**
- **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 not be included in Item 14.**

This information collection has 3 pieces:

(A) A Web-based system that collects data from states.

- (B) A performance measure survey that states collect from individuals.
- (C) A customer satisfaction survey that states collect from individuals.

(A) Fifty-six grantees report using the Web-based data collection system. It is estimated the average amount of time required to complete all responses to the data collection instrument is 244 hours annually. The estimated response burden includes time to review the instructions, gather existing data, and complete and review the data entry. These estimates are based on the experience of staff who implement these programs at the state level.

(B) The fifty-six grantees ask consumers to complete surveys that provide information on their performance related to the state's measurable goals. The estimated number of responses from consumers totals 95,200 consumers at 2.5 minutes per consumer, for a total of 3,967 hours annually.

(C) The fifty-six grantees ask consumers to complete customer satisfaction surveys. The estimated number of responses from consumers totals 95,200 consumers at 5 minutes per consumer, for a total of 7,933 hours annually.

Therefore, the total number of respondents is 190,456 with estimated burden of 273.5 per response with annual reporting and recordkeeping burden of 26,976 hours.

13. 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.**

Total Annualized Capital/Startup Cost :
Total Annual Costs (O&M) :

Total Annualized Costs Requested : _____

No additional costs are incurred by respondents other than the hourly costs specified in #12 above. There are no capital costs or equipment purchases necessary. Respondents only need to have a computer and internet access to complete the data collection report.

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.

The estimated annualized cost is \$316,890.

Section 6(b)(5) of the AT Act (see supplemental materials) requires that RSA award a grant, contract, or cooperative agreement to an entity to assist states with data collection and reporting. The National Information System for Assistive Technology (NISAT) received this award in the summer of 2006 and is the entity responsible for developing and maintaining a Web-based data collection system, providing training and technical assistance to states on use of the system, and assisting with writing the Annual Report to Congress based on data from the system. Subject to appropriations, RSA anticipates providing approximately \$250,000 a year for five years to the recipient.

In addition, RSA employs two Management and Program Analysts with responsibility for the administration of the AT Act, including this data collection. These program analysts are housed in the Service Programs Unit, which is overseen by a Unit Chief and Director. These staff devote a percentage of their time to this data collection, creating an additional cost of approximately \$66,890.

15. Explain the reasons for any program changes or adjustments to #16f of the IC Data Part 1 Form.

This is an extension of a previously approved collection. No changes or adjustments are applicable.

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 aggregate, national data derived from this collection will be used to create an annual report to Congress. The format of this report responds to the requirements of Section 7(d) of the AT Act.

No complex analytical techniques will be used. Because states receive grants every year, there is no end date for the reporting requirements. States will remain on a set reporting cycle, with the period beginning October 1 and ending September 30 each year. The due date for the completed annual data reports is December 30. RSA reviews the data for 2-3 months following the December 30 deadline and the data becomes available to the public through the MIS following this review. The report to Congress is then written and submitted for review by the Department.

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.

The OMB expiration date will be displayed.

18. Explain each exception to the certification statement identified in the Certification of Paperwork Reduction Act.

There are no exceptions to the certification statement.

B. Collection of Information Employing Statistical Methods

The agency should be prepared to justify its decision not to use statistical methods in any case where such methods might reduce burden or improve accuracy of results. When Item 7 of the IC Data Part 1 is checked “Yes,” the following documentation should be included in the Supporting Statement to the extent that it applies to the methods proposed:

- 1. Describe the potential respondent universe (including a numerical estimate) and any sampling or other respondent selection method to be used. Data on the number of entities (e.g., establishments, state and local government units, households, or persons) in the universe covered by the collection and in the corresponding sample are to be provided in tabular form for the universe as a whole and for each of the strata in the proposed sample. Indicate expected response rates for the proposed sample. Indicate expected response rates for the collection as a whole. If the collection had been conducted previously, include the actual response rate achieved during the last collection.**
- 2. Describe the procedures for the collection of information, including:**
 - Statistical methodology for stratification and sample selection.**
 - Estimation procedure.**
 - Degree of accuracy needed for the purpose described in the justification.**
 - Unusual problems requiring specialized sampling procedures, and**
 - Any use of periodic (less frequent than annual) data collection cycles to reduce burden.**
- 3. Describe methods to maximize response and to deal with issues of non-response. The accuracy and reliability of information collected must be shown to be adequate for intended uses. For collections based on sampling, a special justification must be**

provided for any collection that will not yield “reliable” data that can be generalized to the universe studied.

- 4. Describe any tests of procedures or methods to be undertaken. Testing is encouraged as an effective means of refining collections of information to minimize burden and improve utility. Tests must be approved if they call for answers to identical questions from 10 or more respondents. A proposed test or set of tests may be submitted for approval separately or in combination with the main collection of information.**
- 5. Provide the name and telephone number of individuals consulted on statistical aspects of the design and the name of the agency unit, contractor(s), grantee(s), or other persons who will actually collect and/or analyze the information for the agency.**

No statistical methods are employed. Item 7 on the IC Data Part 1 is checked “No.”