

SUPPORTING STATEMENT

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 of each regulation mandating or authorizing the collection of information.**

Congress provides funding to the U.S. Department of Education for the Grants to States for Workplace and Community Transition Training for Incarcerated Individuals program (Title VIII, Part D of the Higher Education Amendments of 1998, as amended). The most recent amendment passed via Pub. L. 110-315 requires State Correctional Education Agencies to submit a proposal in order to be eligible. The law also requires that appropriated funds be allotted to each State in an amount that bears the same relationship to the total number of eligible individuals in each State. Therefore, States must submit data concerning the number of eligible individuals under the program, so that the Department can run the State allocation formula. State Correctional Education Agencies (SCEA) are required to conduct an evaluation and to annually report to the Secretary of Education on the results of the evaluation.

- 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.**

Staff in the Office of Vocational and Adult Education (OVAE) will review the State applications for compliance with legislation and regulations, and then award SCEA grants.

OVAE uses information concerning the number of eligible individuals to run the program's allocation formula for each year of the three-year award. OVAE will continue to use the information for this purpose.

Each participating SCEA reports annually to the Secretary of Education, as required by statute, on the progress the program has made toward meeting its goals and objectives.

- 3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g. permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.**

The Department's electronic mail system and facsimile machines continue to be an effective and efficient method for receiving documents from and for communicating with customers. The Department accepts State applications, evaluation reports, and eligible population forms through the electronic mail system or facsimile. Using these systems to receive documents expedites internal processing and the award of grant funds.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

The information requested in the State application does not exist elsewhere.

Data concerning the number of eligible individuals under this program has not been reported by States elsewhere. (See 8B.)

Information contained in the evaluation report does not exist elsewhere.

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-1), describe any methods used to minimize burden.

Neither small businesses nor small entities are impacted. The Incarcerated Individuals program provides funding to SCEAs only.

6. Describe the consequence 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 the collection were not conducted, the Department would be unable to administer the program in line with the statute and could not release funds to States to conduct workplace and community transition training programs for incarcerated individuals.

7. Explain any special circumstance that would cause an information collection to be conducted in a manner.

There are no special circumstances.

8A. 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.

A 60-day notice was published on 10/29/2009. We received five public comments. A 30-day notice was published 1/7/2010. We received no comments.

8B. 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 disclosures, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

SCEAs have traditionally not had trouble understanding the instructions related to the annual State application, annual report, or eligible population data form. We have not received any indication from States that these collections are replications of other collections required of their offices or that the information requested is available elsewhere. In addition, States have traditionally been able to collect and report the data within a reasonable timeframe (prescribed by OVAE). States have not indicated the frequency of these collections to be an issue.

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

The respondents will not receive a payment or a gift for completing the information collection. The information collection is required in order to be eligible to receive a grant.

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

Confidentiality concerns are handled in accordance with the Privacy Act and the Freedom of Information Act. No other pledges of confidentiality are made.

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. 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 person; from whom the information is requested, and any steps to be taken to obtain their consent.

There are 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 make special surveys to obtain information on which to base burden estimates. Consultation with a

sample of potential respondents is desirable. If the burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated burden and explain the reason for the variance. Generally, estimates should not include burden hours for customary and usual business practices.

If the request for approval is for more than one form, provide separate burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-1.

Fifty-six (56) States, including the Commonwealth of Puerto Rico, District of Columbia, Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands may submit a three-year State application. It is estimated that each applicant will spend approximately 30 hours reviewing instructions, searching existing data resources, gathering the necessary data, and completing and reviewing the information collected for the application. The estimated burden hours for the application is 1,680 hours (30 hours x 56 potential respondents).

In addition to the three-year State application, the Department needs information on the number of eligible individuals in each State. The total respondent burden for this collection is 560 hours (10 hours x 56 potential respondents). It is estimated that each applicant will spend approximately 9 hours researching and gathering information. Each applicant will likely spend one additional hour word processing, printing, and copying.

According to the statute, SCEAs must complete an evaluation report. The total respondent burden for this collection is 1,680 hours (30 hours x 56 potential respondents). It is estimated that each grantee will spend approximately 25 hours on research and evaluation. The remaining 5 hours would be spent typing, printing, copying, and binding.

The Department requires three different collections of information for the first year of this three- year award. During the first year the information requested will be in the form of (1) a State application, (2) an eligible population form, and (3) an evaluation report. During the final two years of the grant, the Department will request information in the form of only the latter two submissions (the eligible population form and the evaluation report). Since the estimated annual burden hours for year one will differ significantly from years two and three, we are submitting an average of the three years.

Incarcerated Individuals Program, Information Collection Burden Hours, Fiscal Years 2010-2012

	FY2010	FY2011	FY2012
State Application	1,680		
Population Form	560	560	560
Annual Evaluation	1,680	1680	1680
Total Hours	3,920	2,240	2240

Source: U.S. Department of Education, OVAE.

Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying out-side parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.

Based on an average hourly rate of \$25.00 per professional, the estimated annualized cost to the 56 respondents is approximately \$70,000. The estimated time for response to the application is 30 hours; the estimated time for response to the eligible population data form is 10 hours; the estimated time for response to the annual evaluation is 10 hours. The following table represents the estimated annualized cost calculations.

Incarcerated Individuals Program, Estimated Annual Cost, Fiscal Years 2010-2012

Fiscal Year	Hourly Rate	Burden Hours	Respondents	Total
2010	\$25	70	56	\$98,000
2011	\$25	40	56	\$56,000
2012	\$25	40	56	\$56,000
Estimated Annual Cost	3,920	2,240	2,240	\$210,000

Source: U.S. Department of Education, OVAE.

13. Annual Costs to Respondents (capital/start-up & operation and maintenance).

The total for the capital and start-up cost components for this information collection is zero. The information collection will not require the purchase of any capital equipment nor create any start-up costs. Computers and software used to complete this information collection are part of the respondents' customary and usual business or private practice, and therefore are not included in this estimate.

The total cost of operation and maintenance and purchase of service components for this information collection is zero. The information collection will not create costs associated with generating, maintaining, and disclosing or providing information that is not already identified in question 12 of this supporting statement.

14. Provide estimates of annualized cost to the Federal government.

The Federal cost is estimated to be approximately \$9,600 on average per year. Time and effort in processing and managing the applications, eligible population data request forms, and annual reports will be handled by current program specialists and staff of the OVAE as a part of their regular duties. These costs include the salaries and expenses of program staff who manage the review process, but do not represent costs incurred above or beyond the regular salary of the staff. The method used to estimate the cost for the program is as follows:

Incarcerated Individuals Program, Estimated Cost to the Federal Government, Fiscal Years 2010-2012

FY2010			FY2011			FY2012		
Staff	Time	Cost	Staff	Time	Cost	Staff	Time	Cost
GS-13	4 weeks	\$6,500	GS-13	2 weeks	\$3,200	GS-13	2 weeks	\$3,200
GS-14	4 weeks	\$8,000	GS-14	2 weeks	\$4,000	GS-14	2 weeks	\$4,000
Total		\$14,500			\$7,200			\$7,200

Source: U.S. Department of Education, OVAE.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-1.

Burden increases as the most recent amendment passed via Pub. L. 110-315 requires State Correctional Education Agencies to submit a proposal in order to be eligible. The law also requires that appropriated funds be allotted to each State in an amount that bears the same relationship to the total number of eligible individuals in each State. Therefore, States must submit data concerning the number of eligible individuals under the program, so that the Department can run the State allocation formula.

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, publications dates, and other actions.

There are no plans for publication of data from this collection.

- 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.**

We are not seeking to remove the OMB-approved expiration date.

- 18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-1.**

This request is in compliance with 5 CFR 1320.9.

B. Collections of Information Employing Statistical Methods:

Not applicable.