

**SUPPORTING STATEMENT
FOR PAPERWORK REDUCTION ACT SUBMISSION**

Indian Education Formula Grant Program Application

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 Office of Indian Education (OIE) of the Department of Education (ED) requests clearance for the Indian Education Formula Grant Application authorized under Title VII, Part A, Subpart 1 of the Elementary and Secondary Education Act, as amended. The Indian Education Formula Grant (CFDA 84.060A), is not competitive or discretionary and requires the annual submission of the application from the local education agency and or tribe. The funds under this program assist applicants to provide Indian students with the opportunity to meet the same challenging state standards as all other students and meet the unique educational and culturally related academic needs of American Indian and Alaska Native students. The amount of the award for each applicant is determined by a formula based on the reported number of American Indian/Alaska Native students identified in the application, the state per pupil expenditure, and the total appropriation available.

In order to be eligible for funding, the applicant must submit both Part I and Part II of the application by the published deadlines. The program adheres to 34 CFR 75.210 of EDGAR (Education Department General Administrative Regulations). The information collection is also necessary to meet the Government Performance and Results Act (GPRA) requirements.

Several small technical corrections have been made to the information collection previously approved under clearance number 1810-0021. These technical corrections provide greater flexibility to submitters and no additional burden. The corrections are identified in Attachment A: "Data Groups for the Electronic Application System for Indian Education.

- 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.**

Eligible applicants submit information to describe the project for which funding is requested. The information provided by the applicant addresses all required documentation established by Title VII legislative requirements for this program. The information provided in the application includes: the Indian student count, including verification of individual student eligibility; data on the assessment of Indian student needs; the purpose of the project; a comprehensive project plan that show how the applicant will meet those needs, including the objectives, activities, and timelines for the funding period requested; qualifications of

personnel and professional development provided for them; the results of the periodic assessment of all Indian students and how the LEA is responding to those findings; evidence of a public hearing; parent committee approval; and program assurances. Additionally, as needed, applicants provide a request for a waiver of the limitation to 5 percent on the use of program funds for administrative purposes or a report on the effectiveness of a waiver (in subsequent years if a waiver was requested and approved).

Eligible applicants for the Formula Grant program include: LEAs, Indian tribes in lieu of LEAs, consortia of LEAs and/or Indian tribes and Bureau of Indian Education funded schools.

The information collected is used to determine applicant eligibility, allocation, and whether the proposed project meets the purpose of the legislation. This application is completed in two parts with two established deadlines. The information collected from each part ensures all required documents are provided. Projects are funded annually for one budget year.

The information is also used for reporting under GPRA.

- 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 for adopting this means of collection. Also describe any consideration of information technology to reduce burden.**

Collection of the information through an electronic system was introduced in December 2006 for applications for FY 2007 funds as a component of *EDFacts*, the Department's data system for elementary and secondary education. *EDFacts*'s Electronic Application System for Indian Education (EASIE) has completed three years of implementation. The system is Web-based and includes the entire applicant submission process; it features pre-population of student performance information. Response to EASIE has been overwhelmingly positive. A paper submission form is available to those applicants that request a waiver of the electronic system due to a lack of Internet access. However, in the three years of implementation of EASIE, not a single applicant has requested paper submission. The Department does use the paper forms for fundable late submissions, which comprise about a dozen per year. (Late submissions are fundable only if funds remain after all timely submissions are funded.)

- 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.**

No duplication of effort exists. This information collection requests information specifically for Indian education programs authorized under section 7121-7122 of the Elementary and Secondary Education Act. Applicants will be required to provide information that addresses the statutory purpose and program requirements. Student performance information collected by *EDFacts*, such as state assessment results, attendance statistics, and graduation rates, are

pre-populated into EASIE so there is no additional burden to the applicant. Although there are other Indian education programs in the Department, they are authorized under different legislation and their purposes and requirements differ from those under this program.

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.

This information collection requirement does not place a burden on small businesses.

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, the Department will be unable to make grant awards in a timely manner. Applications provide information describing the project for which funding is requested. The information collected is necessary to evaluate the applications for completeness and to identify funding levels for each of the applications.

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;**

Only one application per fiscal year is awarded. Respondents submit the information collection annually for each new grant year.

- **requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**

The time period from the date of availability of the information collection, as published in the Federal Register, to the date by which respondents must respond (i.e., the closing date which is also published in the Federal Register) will not be less than 30 days.

- **requiring respondents to submit more than an original and two copies of any document;**

Respondents are required to submit applications electronically through the web-based EASIE system unless they have no Internet connection or inadequate Web access. Applicants that meet the exception to submitting an application via EASIE are not required 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;**

Respondents will not be required to retain 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 the study;**

The information collection is not connected with a statistical survey.

- **requiring the use of statistical data classification that has not been reviewed and approved by OMB;**

The information collection is not connected with a statistical survey or statistical data classification.

- **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**

The information collection does not request data that is confidential.

- **requiring respondents to submit proprietary trade secrets, or other confidential information the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

The information collection does not request data that is of a proprietary nature or confidential.

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 any 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.**

- **Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, 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 may preclude consultation in a specific situation. These circumstances should be explained.**

A copy of the proposed selection criteria for each program has been provided to the Department's National Advisory Council on Indian Education for review and comment. No comments or suggestions have been received on the information collection. OIE will publish

the appropriate Federal Register Notice to solicit public comment on this collection.

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

No payments or gifts to respondents will be provided.

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

Confidential information is not requested. However, some applicants may include information within an application that is personally identifiable, such as contact information for staff. Any personally identifiable information is not released under the exemptions of the Freedom of Information Act.

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

Information of a sensitive nature is not requested.

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.**
- **If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.**
- **Provide estimates of annualized costs to respondents for 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 the cost should be included in Item 14.**

Summary

	Respondents	Hours/ response	Total Hours	Total Cost	Cost calculation
EASIE Part I Student Form (ED 506)	10,000	0.309	3,090	\$15,914	10000 x 0.309 x \$5.15/hr = \$15,914. Note that only Indian students who were NOT previously in the applicant's LEA need to fill out this form. Additionally, ED 506 forms are not submitted to the Department, but must be maintained on file by the applicant.
EASIE Part I Student Count and Part II Project and Budget Information	1,270	5	6,350	\$109,013	1270 x 4.66 hours x 15.94/hr = \$94,336 1270 x .33 hours x 35.02/hour = 14,677. Total = \$109,013
TOTAL BURDEN	11,270	5.309	9,440	\$124,927	

Burden Hours

Estimates are based on the following:

On an annual basis, approximately 1,270 applications are submitted. The increase in the projected number of applicants from 1,185 to 1,270 is based on the increase in participating LEAs that has occurred since the electronic system was implemented. Applicants submit once per year which includes both Part I and Part II. The burden hours for EASIE Part I and II is based on an average 1,270 yearly applications at 5 hours per submission for a total of 6,350 burden hours. During any given grant cycle, approximately 10,000 new ED 506 forms are filled out annually and maintained by LEAs. Since ED 506 forms only need to be filled out once during a child's K-12 career these forms reflect the entry of new students into any Indian formula grant program. The burden hours associated with each new form is .309 hours x 10,000 new forms annually for a total 3,090 burden hours.

Respondent Costs

The respondent cost estimates are computed using the hourly rates of a GS 5/1 and GS 12/1. These hourly rates are comparable to salaries of staff that will perform these functions for the respondent (data entry and review and certification).

The cost to respondents for compilation of the information and completion of the application is based on the estimated average per year for each type of respondent. Of this time, review of instructions, data compilation and entry, and review are included at an average of 4 hours 40 minutes (= 4.66 hours) and 20 minutes (= .33 hours) for review and certification. See the following calculations.

Student forms: (10,000 x .309 hrs) x \$5.15/hr =	15,914
Data entry for Part I & II (1270 x 4.66 hrs) x \$15.94/hr =	94,336
Review and certification for Part II (1270 x .33 hrs) x \$35.02/hr =	<u>14,677</u>
	\$ 124,927

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour

burden shown in Items 12 and 14).

There is no additional annual cost burden to respondents and recordkeepers from this collection of information.

- 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 EASIE software that collects the applications for the Title VII Indian Education Formula Grants is operated and supported under a contract that is a task order under the master ED*Facts* contract. The estimated annual cost of support for the EASIE software is \$350,000. This includes operations and maintenance and a partner support center that assists applicants in the process of submitting.

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

An adjustment of +422 hours is requested because the average number of applicants has increased by approximately 85/year, likely because of the ease of the current application process. There is no additional burden on each applicant. This clearance package also reflects the transfer of 3,093 burden hours from the ED*Facts* collection (1875-0240) to the Formula Grant EASIE collection (1810-0021) which occurred in March 2007.

- 16. For collections of information whose results will be published, outline plans for tabulation and publication.**

Results of the individual information collected will not be published.

- 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.**

Such approval is not being requested.

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

There are no exceptions to the certifications.