

Supporting Statement

Application to Participate in the Leveraging Educational Assistance Partnership (LEAP), Special Leveraging Educational Assistance Partnership (SLEAP), and the Grants for Access and Persistence Programs for the 2010-2011 Award Year
(ED FORM 1288)

A. JUSTIFICATION

1. The Leveraging Educational Assistance Partnership (LEAP), Special Leveraging Educational Assistance Partnership (SLEAP), and Grants for Access and Persistence (GAP) Programs are authorized under Title IV, Part A, Subpart 4 of the Higher Education Act of 1965, as amended (20 U.S.C. 1070c), and administered under 34 CFR Part 692. Section 415C(a) of the Higher Education Act of 1965, as amended (HEA), requires a state to submit an annual application to participate in these programs. The GAP Program was authorized under Section 415E, which was amended as a result of the Higher Educational Opportunity Act of 2008 (HEOA).

The GAP Program replaces the SLEAP Program previously authorized by section 415E of the HEA, however, section 415E(j) of the HEA, as amended by the HEOA, provides that for the two-year period that began on August 14, 2008, the date of enactment of the HEOA, a State may continue to make grants under the SLEAP Program, i.e., through the 2010-2011 award year. This is the last award year in which States will be able to apply for SLEAP funding. States that choose to apply for either SLEAP or GAP funding and be considered must first apply for LEAP funding and be deemed eligible. Therefore, the new application to participate in the GAP Program has been combined with the previously approved ED form 1288 used to apply under the LEAP and SLEAP programs. Combining the forms keeps the burden on the applicants to a minimum and makes managing and delivery of the programs internally, more manageable. The form only contains items needed to determine a state's eligibility and assure compliance with program statute.

Beginning in 2011-2012; states will only be able to apply additionally for GAP Program funds at which point all SLEAP Program application elements will be removed from this form. This combined application has been designed utilizing Adobe LiveCycle software. This new interactive form, allows our State applicants to navigate, complete and apply for its allotment(s) under the programs 100% electronically.

2. The officially designated educational agency in each of the 50 States, the District of Columbia, Puerto Rico, and four island jurisdictions that participate in the LEAP Program uses this application to apply for funds from the Department on an annual basis. The information on the application allows states to assure the Department ability to meet matching and other statutory program requirements. If a state so chooses, it may also apply to participate in one of the subprograms, SLEAP or GAP. Again, this will be the last year in which state's can apply for SLEAP funding. The Department will use this application information to determine a state's eligibility for its allotment(s) under these programs. Failure to receive and process these applications would put the program in default of congressional intent and in violation of the program statute.

3. The new, combined application has been designed utilizing Adobe LiveCycle software. This new interactive form, allows our State applicants to navigate, complete and apply for its allotment(s) under the programs 100% electronically. Upon submission of the form, states certify and assure the Department that all information given is accurate and that they will comply with the program statute and regulations. The information the states are required to provide on the application has been reduced to the bare minimum required to determine eligibility, program compliance and awarding of allotments.
4. The LEAP, SLEAP and GAP programs are operated by a single agency in each state. Each state provides annual information on the application that applies only to that state and is not collected on any other form. Therefore, there is no duplication collection of this data. Again, in the development of this form, we only require the bare minimum of items needed to ensure compliance with the programs in order to make LEAP, SLEAP and GAP program grant awards.
5. The collection of information does not involve small businesses or other small entities.
6. States are required to apply annually for their LEAP, SLEAP and GAP program allotments. Again, we only ask for bare minimum of items needed to ensure compliance with the LEAP and SLEAP and GAP programs statute and make allotments to states under the programs. In the development of this form, we added enough information needed additionally to ensure compliance with the GAP Program statute and make allotments under the new program. Similar information for each state is not available from any other source that can meet these specific statutory requirements under these programs. States will use this application to indicate compliance with statutory requirements and to apply for funds from the LEAP, SLEAP and GAP programs on an annual basis. The Department will use this application information to determine a state's eligibility for its allotment. Failure to receive and process these applications would put the program in violation of the program statute.
7. Section 415C(a) of the program statute states, "A state which desires to obtain a payment under this subpart for any fiscal year shall submit **annually** an application..." Consequently, less frequent collection is not a viable option as the programs would be unable to distribute funds according to the program's authorizing statute. States will have sufficient time beyond 30 days to complete and submit this application. States only need submit an original application electronically and keep a copy for their records.
8. The states were given an invitation to make comments and suggestions concerning the development of this form incorporating the GAP subprogram piece and information collection at the latest National Association of State Student Grant Aid Programs (NASSGAP) national conference held in St. Pete, Florida October 5 through 7, 2009. Additionally, the new combined form was forwarded to members of the NASSGAP Senior Executive committee and other state agency officials inviting them to provide the Department with comments and suggestions concerning this combined application form.

We have published the relevant federal register notices inviting public comment.

9. The Department does not provide any payment or gifts to respondents.

10. No assurance of confidentiality is provided to respondents. The information collected on the application is part of the state and federal public record.
11. There are no questions of a sensitive nature.
12. The 50 States, the District of Columbia, Puerto Rico, and four island jurisdictions are eligible to participate in the LEAP Program. States must first be found eligible to participate in the LEAP Program before they can apply to participate in the SLEAP Program or the GAP Program. Completion of the annual application to participate in the LEAP and SLEAP or GAP programs is estimated to cost the respondents \$ 22,378.

RESPONDENT COSTS

Education Administrator or
Program Specialist

8 hrs x \$49.95 x 56 respondents = \$ 22,378

56 respondents x 1 submission x 8 hours = 448 annual burden hours

The hourly estimate includes identification of relevant statutory and regulatory requirements such as estimates of matching and maintenance-of-effort information, pulling state data, and for states applying for GAP funding, ensuring that all portions of the written plan have been addressed within the form.

13. There are no capital or start-up costs for this information collection. All states have access to Internet and the free Adobe Reader software.
14. The annual cost to the Federal Government for the processing of this application is estimated to be \$35,616; this cost includes staff time in processing the applications submitted by states; and analyzing the data for funding decisions and ensuring state compliance with the program statute.

FEDERAL GOVERNMENT COSTS:

Program Specialist 400 hrs. x \$49.30 = \$ 19,720

Supervisory, Division Director 200 hrs. x \$79.48 = 15,896

\$35,616

15. The annual reporting and recordkeeping hour burden requested increased from 112 burden hours to 448 hours due to additional program requirements under new subprogram.
16. Results are not scheduled for statistical use publication.
17. We are not seeking approval to exclude the display of the expiration date for OMB approval of the information collection.
18. No exceptions to the certification statement identified in item 19 of OMB Form 83-I.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection of information does not employ statistical methods.