

Supporting Statement for Paperwork Reduction Act Submissions

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 regulations mandating or authorizing the collection of information.**

Authorized under Title V, Part D, Subpart 4 of the Elementary and Secondary Education Act of 1965 (ESEA) (20 U.S.C. 7249), as amended, the Smaller Learning Communities (SLC) program awards discretionary grants to local educational agencies (LEAs) to support the restructuring of large public high schools with enrollments of 1,000 or more students into smaller units. SLC structures include freshman academies, multi-grade academies organized around career interests or other themes, “houses” in which small groups of students remain together throughout high school, autonomous schools-within-a-school, and small schools. This information collection is needed to solicit applications for funds from eligible LEAs. The Department of Education (Department) would not be able to obligate funds appropriated by Congress for this program without this information collection.

We are proposing to revise this information collection as follows:

New Information Collection Requirements

- 1. Establish two new priorities.*

We are proposing to establish two new priorities that would be used in addition to the "Preparing All Students to Succeed in Postsecondary Education and Careers" priority established in the notice of final priority, requirements, and selection criteria published in the *Federal Register* on May 18, 2007 (2007 SLC NFP).

The first new proposed priority, “Common Planning Time for Teachers,” would support SLC projects that increase the amount of time regularly provided to teachers for common planning and collaboration during or immediately following the school day. The second proposed priority, “Persistently Lowest-Achieving Schools,” would support projects that include one or more schools that have been identified by a State as a persistently lowest-achieving school. The rationales for these new priorities are explained in the Notice of Proposed Priority published on March 31, 2010 (75 FR 16082).

- 2. Require evidence of school eligibility.*

We propose to require each applicant to provide, along with its application, the following information with respect to each school included in its application:

- The school's name, postal mailing address, and the 12-digit identification number assigned the school by the National Center for Education Statistics; and
- Evidence that, during the current school year or the most recently-completed school year, the school is a large public high school (i.e., an entity that includes grades 11 and 12) and has an enrollment of 1,000 or more students in grades 9 and above and thus, is eligible to receive assistance under this program.

To meet this requirement, the enrollment figures provided in the evidence must be based upon data from the current or most recently-completed school year. In addition, this evidence must include a copy of either:

- The form or report that the local educational agency (LEA) submits to the State educational agency (SEA) to report the school's student enrollment (or student membership, as it is sometimes described) on or around October 1 of each year.
- A document provided by the SEA that identifies the school's enrollment on or around October 1 of each year.

The collection of this information is necessary so that the Department can verify expeditiously that each of the schools in the applicant's application meets the program's eligibility requirements. We have previously sought to use the school report cards that applicants were required to submit with their applications to verify school enrollment. However, we rarely found current information on school enrollment in these documents. Consequently, Department employees spent considerable time contacting SEAs to verify the accuracy of the school enrollment figures applicants reported in their applications. This delayed the peer review of applications and the award of funds. Requiring applicants to submit evidence of eligibility will eliminate the need for this time-consuming verification process.

3. *Require disaggregation of performance data on student enrollment in postsecondary education.*

Grantees are required to report annually on the percentage of graduates who enroll in postsecondary education in the semester following graduation. We are proposing to require grantees to disaggregate these performance data by the following subgroups:

- Major racial and ethnic groups;
- Students with disabilities;
- Students with limited English proficiency; and
- Economically disadvantaged students.

We are proposing this requirement because there are significant gaps in postsecondary enrollment among these subgroups and we expect that, consistent with the program's emphasis on improving student preparation for and success in postsecondary education, grantees will seek to reduce and eliminate these gaps through the activities they carry out in

their projects. Collecting disaggregated data will provide the Department and the public with the information needed to assess the extent of their progress in attaining this goal.

4. *Require grantees to use administrative records as the principal source of data for student enrollment in postsecondary education*

To improve the quality and accuracy of the data grantees report on the postsecondary enrollment of their graduates, we propose to require them to rely on administrative records, such as data in State longitudinal databases or the National Student Clearinghouse's Student Tracker, to determine the enrollment status of graduates.

Reductions in, or Eliminations of, Previously Established Information Collection Requirements

1. *Reduce the number of schools that may be included in an application.*

We are proposing to reduce the number of schools that may be included in an application from eight to five. In our experience, grants that have included more than five schools have been unevenly managed; schools typically do not receive the time, attention, and technical assistance from the LEA that is needed to implement grant activities successfully.

2. *Eliminate the preparation and submission of annual evaluation reports*

We are proposing to eliminate the requirement that grantees support an independent evaluation of the project and submit annual evaluation reports to ED. The rationale for the elimination of this requirement is explained in the Notice of Proposed Priority.

3. *Eliminate the requirement that applicants submit school report cards.*

We are proposing to eliminate the requirement that applicants submit copies of the most recent "report cards" for schools included in the application. We previously required their inclusion to verify the accuracy of the student achievement and enrollment data reported by applicants. With school-level achievement data now available through EDFacts, we do not need the report cards to verify reported achievement data. Because the report cards rarely included current enrollment data, they also are not needed to verify eligibility.

4. *Reduce performance reporting requirements.*

The Government Performance and Results Act (GPRA) performance measures for this program include the percentage of students who score proficient or advanced on state reading/language arts and mathematics assessments and the graduation rate. We have previously collected data on these indicators from grantees. We propose to discontinue collecting them from grantees data because these data are now available to the Department through EDFacts. The indicators will remain GPRA measures and be reported to the public.

5. *Eliminate reporting of baseline data for two performance indicators.*

The current collection requires applicants to include in their applications baseline data for the following two performance indicators each school included in their applications:

- The percentage of students who score at the proficient and advanced levels on the reading/language arts and mathematics assessments used by the State to determine whether a school has made adequate yearly progress under part A of title I of the ESEA, as well as these percentages disaggregated by subject matter and the following subgroups:
 - Major racial and ethnic groups;
 - Students with disabilities;
 - Students with limited English proficiency; and
 - Economically disadvantaged students.

- The school's graduation rate, as defined in the State's approved accountability plan for part A of title I of the ESEA., as well as the graduation rates for the following subgroups:
 - Major racial and ethnic groups;
 - Students with disabilities;
 - Students with limited English proficiency; and
 - Economically disadvantaged students.

We are proposing to eliminate this requirement because it is now unnecessary. The Department can obtain baseline data for these indicators from the data State educational agencies submit through EDFacts.

6. *Eliminate redundant or unnecessary selection criteria.*

We are proposing to eliminate the following selection criteria that are now included in the approved collection:

<i>Quality of Project Design</i>	<i>Discussion</i>
"(4) The applicant will offer all students a coherent sequence of rigorous English language arts, mathematics, and science courses that will provide students with the knowledge and skills needed to succeed in postsecondary education and careers without need for remediation;"	We propose to eliminate this criterion because it is redundant. Applicants provide this information when they address another criterion that we propose to retain. This criterion, under Quality of Project Services, evaluates the extent to which the applicant will equip "all students with the reading/English language arts, mathematics, and science knowledge and skills they need to succeed in postsecondary education and careers without need for remediation."

<i>Support for Implementation</i>	<i>Discussion</i>
"(3) The applicant will support the proposed project with funds provided under other Federal or State programs and local cash or in-kind resources;"	We propose to eliminate this criterion because it is unnecessary. Because of the limited size of the grants, all applicants must contribute other resources to implement all of the activities identified in the priorities.
"(4) The requested grant amount and the project costs are sufficient to attain project goals and reasonable in relation to the objectives and design of the project."	We propose to eliminate this criterion because it is unnecessary. Department program staff review the reasonableness and sufficiency of the budget and costs outlined in the application and make any necessary changes prior to making awards.
<i>Quality of Project Evaluation</i>	<i>Discussion</i>
<p>"In determining the quality of the proposed project evaluation to be conducted by an independent, third-party evaluator, we consider the extent to which—</p> <p>(1) The evaluation will provide timely, regular, and useful feedback to the LEA and the participating schools on the success and progress of implementation, and identify areas for needed improvement; and</p> <p>(2) The independent evaluator is qualified to conduct the evaluation."</p>	We propose to eliminate these criteria because our proposed elimination of the evaluation requirement would make them unnecessary and inappropriate.

Other Factors Affecting Total Burden Hours

We expect that we will receive 100 fewer applications, or a total of 200, in FY 2010 than we did in previous years. We expect to award \$46 million in new awards in FY 2010, about 57 percent of the amount we awarded in the previous competition. Based on our experience with the SLC and other discretionary grant programs, we expect that the number of applicants will drop significantly in FY 2010 due to the heightened competition for funds.

Together, we expect that the changes we are proposing the burden hours per response from 63 to 58 hours.

- 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.**

ED uses the information collected to:

- Determine whether an applicant is eligible for an SLC grant;
- Evaluate, through external peer review, the quality of each application and the extent to which it merits funding;
- Select applicants that will be awarded SLC grants; and
- Determine the amount of the grant awarded to each successful applicant.

In addition, ED uses the information contained in the applications that are selected for funding to:

- Prepare summaries of the activities each grantee will carry out that are disseminated by ED to members of Congress and the general public;
- Monitor the progress and performance of each grantee in carrying out the activities described in its application.

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.

Respondents will be required to submit their applications electronically through either the Department's e-Grants system or Grants.gov.

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.

This information collection does not duplicate any other information collection effort. The information collected is unique to the SLC program.

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

Small entities are not affected by this program. The respondents are LEAs.

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.

The SLC program is a discretionary grant program. The program could not be implemented without the collection of information. The data collection occurs only when applications for new grants are solicited, once every year.

7. Explain any special circumstance 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 that 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 or 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

No such circumstances exist.

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.

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.

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 Notice of Proposed Priority was published in the *Federal Register* on March 31, 2010 (Volume 75, Number 61) to solicit public comments (pages 16082-16088).

In addition, a notice inviting public comment on the proposed information collection for OMB review as required by the Paperwork Reduction Act of 1995 was published on in the *Federal Register* on [TBD] 2010.

Consultations with current grant recipients were conducted during annual project director meetings and monitoring calls.

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

Payments or gifts will not be made to respondents.

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

No assurance of confidentiality will be provided to respondents.

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.

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 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 13 of OMB-I.
- 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 be included in item 14.

A. Burden hours for respondents

	Estimated Number of Responses	Type of Staff	Estimated Number of Burden Hours Per Response	Total Estimated Number of Burden Hours
	200	Professional Clerical	48 10	9,600 2,000
ANNUAL AVERAGE	200		58	11,600

We estimate that the annual burden hours for this collection will be reduced from 18,900 to 11,600.

B. Cost to Respondents

The estimated cost to respondents is approximately \$418,772 based upon an average hourly rate of \$38.92 per professional hour and \$22.57 per clerical hour. Based on the average preparation time of 58 hours per response, it is estimated that 48 professional hours would be used for research, gathering information, writing, and reviewing the application. The remaining 10 hours would be used for typing, formatting and copying.

200 respondents x 48 professional hours x \$38.92/hour	=	\$ 373,632
200 respondents x 10 clerical hours x \$22.57/hour	=	\$ 45,140
Total	=	\$418,772

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) 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.

There are no costs that (a) meet the criteria for inclusion under this item; and (b) have not been addressed in either item #12 or item #14.

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.

<i>Program Staff</i>	
1 GS15 x \$54 x 30 hours	\$1,620
3 GS14 x \$46/hour x 90 hours	\$12,420
3 GS13 x \$39/hour x 90 hours	\$10,530
2 GS12 x \$33/hour x 90 hours	\$5,940
1 GS9 x \$27/hour x 90 hours	\$2,430
TOTAL	\$32,940
<i>Application Review Costs</i>	
200 applications x 3 hours per application per reviewer = 600 hours	
Travel for reviewers (90 @ \$800)	\$72,000
Per diem for reviewers (90 @ \$904)	\$81,360

Honorarium for reviewers (90 @ \$1,500)	\$135,000
TOTAL	\$288,360
GRAND TOTAL	\$321,258

There are no costs for printing or mailing the application package. The application package will be available through Grants.Gov and the Department’s website.

15. Explain the reasons for any program changes or adjustments reported in item 16 of IC Data Part 1.

The reduction in burden hours is the result of the changes proposed in this revision to the collection. We estimate that the proposed change will reduce the burden hours per response by 5 hours. We also estimate that the number of respondents will drop from 300 to 200. Consequently, the estimated total number of annual burden hours will be 11,600 hours.

Change	Effect on Burden Hours Per Response
Establish two new priorities.	+ 2 hour (professional) +.75 hour (clerical)
Require evidence of school eligibility.	+.25 hour (professional) +.5 hour (clerical)
Require disaggregation of performance data on student enrollment in postsecondary education.	+.75 hour (professional) +.75 hour (clerical)
Require grantees to use administrative records as the principal source of data for student enrollment in postsecondary education.	+ 1.5 hour (professional) +.75 hour (clerical)
Reduce the number of schools that may be included in an application.	- 5 hours (professional) - 1.5 hour (clerical)
Eliminate the preparation and submission of annual evaluation reports.	-1.5 hours (professional) -.25 hours (clerical)
Eliminate the requirement that applicants submit school report cards.	-.25 hours (professional) -.25 hours (clerical)
Reduce performance reporting requirements.	-1.5 hours (professional) -.5 hours (clerical)
Eliminate reporting of baseline data for two performance indicators.	-.25 hours (professional) -.25 hours (clerical)
Eliminate redundant or unnecessary selection criteria.	- 1 hour (professional)

Change	Effect on Burden Hours Per Response
TOTAL	- 5 hours (professional) 0 hours (clerical)

Annual Federal costs are higher chiefly due to increases in the hourly rates of Federal employees, some changes in the grade levels of employees who will be involved in the review, and increases in the honoraria paid to peer reviewers that are necessary to recruit highly-qualified reviewers.

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 data, and other actions.

There are no plans to publish the results of this data collection.

17. If seeking approval to not display the expiration data for OMB approval of the information collection, explain the reasons that display would be inappropriate.

The Department is not seeking this approval.

18. Explain each exception to the certification statement identified in the “Certification for Paperwork Reduction Submissions,” form.

There are no exceptions to the referenced certification statement.

Program Statute

SEC. 5441. SMALLER LEARNING COMMUNITIES.

(a) GRANT AUTHORITY- The Secretary is authorized to award grants to local educational agencies to enable the agencies to create a smaller learning community or communities.

(b) APPLICATION- Each local educational agency desiring a grant under this subpart shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require. The application shall include descriptions of the following:

- (1) Strategies and methods the local educational agency will use to create the smaller learning community or communities.
- (2) Curriculum and instructional practices, including any particular themes or emphases, to be used in the smaller learning environment.
- (3) The extent of involvement of teachers and other school personnel in investigating, designing, implementing, and sustaining the smaller learning community or communities.
- (4) The process to be used for involving students, parents, and other stakeholders in the development and implementation of the smaller learning community or communities.
- (5) Any cooperation or collaboration among community agencies, organizations, businesses, and others to develop or implement a plan to create the smaller learning community or communities.
- (6) The training and professional development activities that will be offered to teachers and others involved in the activities assisted under this subpart.
- (7) The objectives of the activities assisted under this subpart, including a description of how such activities will better enable all students to reach challenging State academic content standards and State student academic achievement standards.
- (8) The methods by which the local educational agency will assess progress in meeting the objectives described in paragraph (7).
- (9) If the smaller learning community or communities exist as a school-within-a-school, the relationship, including governance and administration, of the smaller learning community to the remainder of the school.
- (10) The administrative and managerial relationship between the local educational agency and the smaller learning community or communities, including how such agency will demonstrate a commitment to the continuity of the smaller learning community or communities (including the continuity of student and teacher assignment to a particular learning community).
- (11) How the local educational agency will coordinate or use funds provided under this subpart with other funds provided under this Act or other Federal laws.

(12) The grade levels or ages of students who will participate in the smaller learning community or communities.

(13) The method of placing students in the smaller learning community or communities, such that students are not placed according to ability or any other measure, but are placed at random or by their own choice, and not pursuant to testing or other judgments.

(c) AUTHORIZED ACTIVITIES- Funds under this section may be used for one or more of the following:

(1) To study—

(A) the feasibility of creating the smaller learning community or communities; and

(B) effective and innovative organizational and instructional strategies that will be used in the smaller learning community or communities.

(2) To research, develop, and implement—

(A) strategies for creating the smaller learning community or communities; and

(B) strategies for effective and innovative changes in curriculum and instruction, geared to challenging State academic content standards and State student academic achievement standards.

(3) To provide professional development for school staff in innovative teaching methods that—

(A) challenge and engage students; and

(B) will be used in the smaller learning community or communities.

(4) To develop and implement strategies to include parents, business representatives, local institutions of higher education, community-based organizations, and other community members in the smaller learning communities as facilitators of activities that enable teachers to participate in professional development activities and provide links between students and their community.