

**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 Magnet Schools Assistance Program (MSAP) makes grants to local educational agencies (LEAs) to establish and operate magnet schools projects that are part of approved desegregation plans and that are designed to bring together students from different social, economic, ethnic, and racial backgrounds. The collection of information is necessary for LEAs to apply for and receive grants under the MSAP in a manner consistent with Title V of the Elementary and Secondary Education Act (ESEA). The information is further necessary in order for grantees to meet reporting requirements as a part of the Department's monitoring project performance during the grant period.

The program is authorized under Title V of the ESEA, as amended by the No Child Left Behind (NCLB) Act. Section 5305(b)(1) of the Act describes information that must, by statute, be included in the application and §5306 describes the priorities that the Secretary shall use in approving applications. Sections 5305 and 5306 are attached.

- 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.**

The information is collected in the form of grant applications submitted by local educational agencies. The Department of Education (ED) uses the information in the applications to competitively evaluate those grant applications and select grant recipients. For applications that are approved for awards, the application information also serves as a basis for monitoring project performance, based on the project design, objectives, evaluation plans and other information described in the grant 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.**

Applicants will be required to transmit their applications electronically using the APPLY module of Grants.gov, a government-wide web portal accepting electronic application submissions for federal grant-making agencies at <http://e-grants.ed.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 collection is relevant only to grant applications under the MSAP. For the most part, there is no similar information available in other forms or as the result of other information collections. Additionally, we note that the information collection is further necessary in order for grantees to meet reporting requirements as a part of the Department's monitoring project performance during the grant period.

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

The program does not impact small businesses or other 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.**

Without the data collection, ED could not solicit grant applications, conduct grant competitions, or make and monitor grant awards. In short, the Magnet Schools Assistance Program could not be implemented.

Since the statute authorizes three-year grant periods, all projects operate essentially on the same schedule in terms of the fiscal year in which projects begin and end. As a result, the data collection for new award recipients is conducted as infrequently as possible—that is, once every three years, rather than on a plan that would have smaller cohorts of award recipients every year. Without the data collection during the course of the grant, it would not be possible for the Department to monitor our grantees or evaluate grantee performance under the three year grant.

**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.**

There are no circumstances that require this information collection to be conducted in a manner inconsistent with any of the conditions outlined under A.7 of the special instructions for the justification.

- 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.**

Informal discussions with past applicants have occurred on an ongoing basis since the time of the most recent data collection using the MSAP application package for the FY 2007 MSAP grant competition through individual meetings with school district representatives and through meetings with organizations that have a particular interest in the program, most notably Magnet Schools of America.

Based on this feedback as well as program staff analyses regarding application errors and data omissions, we believe that changes instituted in conjunction with the previous OMB clearance submission for the MSAP application package have worked well to remedy problems of insufficient guidance and lack of clarity regarding certain data requirements associated with the application in Tables 1-14. The 30-day FRN was published for public comment on April 21, 2010.

**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 have been made and none are planned or contemplated.

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

There are no assurances of confidentiality.

**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.**

The data collection includes 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 Form 83-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 not be included in Item 14.**

a. Burden hours for respondents

The anticipated number of respondents is 150. The average burden per response is estimated at 40 hours and the number of responses per applicant remains one. The data collection occurs once every three years. The burden, based on 150 responses to the MSAP application package that occurs at an average burden of approximately 40 hours/response, is 6,000 hours, occurring once every three years.

b. Cost to Respondents

Because respondents will now submit applications electronically using the Grants.gov APPLY module, costs to respondents are limited to the costs of preparation of the application. Based on the estimate that 150 applications will be submitted, costs to respondents are estimated to be the following:

$$150 \text{ apps} \times 40 \text{ hours/application} \times \$30/\text{hour} = \$180,000$$

**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 : \_\_\_\_\_**

There are no costs that meet the criteria for inclusion under this item.

**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.**

Updating application/preparing clearance package (20 hrs x \$35/hr)	= \$ 700
Mailing of grant applications to reviewers (150 x 3 x \$5.00)	= \$ 2,250
Reviewer honoraria (45 reviewers x \$1,600/reviewer)	= \$72,200
Staff time for review (6 staff x 60 hours/staff x \$35/hr)	= <u>\$12,600</u>
Estimated total cost to the Federal government	= \$87,750

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

There are no changes to this collection.

**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.**

There are no plans for publication of the information.

**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.**

There are no plans to not display the expiration date of the OMB approval of the data collection.

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

There are no exceptions to the certification statement.