Supporting Statement for a Revision and Extension of the Special Education—Individual Reporting On Regulatory Compliance Related To the Personnel Development Program's Service Obligation and the Government Performance Results Act (GPRA) – 1820-0686

Introduction and Overview

The purpose of this data collection is to fulfill requirements of two statutes, i.e., the Individuals with Disabilities Education Act of 2004 (IDEA) and the Government Performance and Results Act (GPRA) of 1993.

IDEA seeks to improve outcomes for infants, children, and youth with disabilities and requires states to employ highly qualified teachers in the field of special education. The Office of Special Education Programs' (OSEP) Personnel Development Program to Improve Services and Results for Children with Disabilities (Personnel Development Program) provides grants to institutions of higher education (grantees) to train personnel in the area of special education with the intent of increasing the number of qualified special educators. The program was established in the 1970s, and due to the increasing number of scholars going into career fields outside of special education after completing university special education programs, a service obligation was added in IDEA 1997. IDEA 2004 shifted the burden of collection and verification of service obligation information from grantees to the U.S. Department of Education (ED). The "Additional Requirements" section of the Personnel Preparation to Improve Services and Results for Children with Disabilities--Combined Priority for Personnel Preparation and Preparation of Leadership Personnel notice, published in the Federal Register on March 25, 2005 included requirements for service obligation since the regulations had not yet been published. Both the FY2005 requirements and the regulations published on June 5, 2006 are included with this package.

GPRA requires Federal agencies to provide for the establishment of performance measurement of all programs. OSEP has established performance measures for the Personnel Development Program, and data collection from scholars who have received a scholarship under the Personnel Development Program is necessary to evaluate two of these performance measures.

In September 2007, ED contracted with Optimal Solutions Group, LLC (Optimal) to establish the National Center on Service Obligations (NCSO) to collect, track, and verify information pertaining to scholars' service obligations, beginning with grant awards made in FY2005 and any year thereafter. In addition, NCSO is required to collect relevant data to evaluate Personnel Development Program performance measures. NCSO developed a secure online database application, the Service Obligation Tracking System (SOTS), to streamline the collection of data from grantees, scholars/obligees and employers.

<u>Justification</u>

Q1. 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.

A.1 Circumstances Necessitating Data Collection

The need for data collection stems from the service obligation requirement of the Personnel Development Program that can be found in IDEA 2004 Section 662 which states that:

(1) Each application for assistance…shall include an assurance that the eligible entity will ensure that scholars who receive a scholarship under the proposed project agree to subsequently provide special education and related services to children with disabilities, or in the case of leadership personnel to subsequently work in the appropriate field, for a period of two years for every year which the scholarship was received or repay all or part of the amount of the scholarship, in accordance with regulations issued by the Secretary.

(3) Secretary's responsibility.—The Secretary—(A) shall ensure that individuals described in paragraph (1) comply with the requirements of the paragraph.

If a scholar does not fulfill the service obligation in the period of time specified in either the FY2005 requirements or the June 5, 2006 regulations (several requirements were changed in the regulations), the scholar is referred to ED's Office of Debt Management (DM) for repayment of the scholarship. ED is responsible for collecting the necessary information, verifying the completion of the service obligation, and referring scholars to DM for repayment, if necessary. In addition, performance measure data will be collected for the following approved performance measures, which may be revised or new performance measures added at the discretion of ED. Although the program measure numbers have changed since 2008, the language has remained the same.

Measure 2.3: The percentage of Special Education Personnel Preparation-funded degree/certification recipients who are working in the area(s) for which they were trained upon program completion and who are fully qualified under the Individuals with Disabilities Education Act (IDEA); and

Measure 2.4: The percentage of degree/certification recipients who maintain employment in the area(s) for which they were trained for 3 or more years and who are fully qualified under IDEA.

Q2. 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.

A.2 Purposes and Uses of the Data

The data collected from grantees, scholars and employers is used primarily to verify the fulfillment of the service obligation, including referring scholars who are not fulfilling their obligation to DM for repayment of part or all of the scholarship received. NCSO has prepared annual reports related to information about scholars and obligees monitored within the SOTS and submitted them to OSEP since FY 2009. Some of this information has been used in OSEP's Annual Report to Congress. In addition, data is collected and used to evaluate the program performance and GPRA measures.

Q3. 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.

A.3 Use of Technology to Reduce Burden

NCSO uses automated and electronic technology when possible and appropriate to reduce the cost and burden of information collection. Grantees, scholars, obligees and employers receive automated e-mails and phone calls prompting them to log into the SOTS and report data. The data collection instruments are available online to respondents. If respondents are unable to provide this information online, they can mail a hard copy to NCSO. NCSO maintains a Web site (http://serviceobligations.ed.gov) through which the database is easily accessed.

Q4. 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.

A.4 Efforts to Identify Duplication

Nothing in the regulations duplicates other information requests or requirements. The requested information is not available from other sources.

Q5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Fore 83-I), describe any methods used to minimize burden.

A.5 Burden on Small Businesses

The information requested rarely involves the collection of information from small businesses. There may be employers classified as small businesses that would only be asked to verify employment of an obligee.

Q6. 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.

A.6 Consequences on Federal Program or Policy Activities if the Collection of Information is not Conducted or is Conducted Less Frequently

The service obligation requirements and regulations and the GPRA require the collection of data to ensure that grantees, scholars and obligees provide the information necessary to meet the purpose of the statutes. To require less frequent data collection would result in the inability of the Secretary to assure that grantees, scholars and obligees are complying with the statutory requirements.

Q7. 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 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 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.**

A.7 Special Circumstances

Recipients of Personnel Development Program scholarships are required to maintain their employment records until they have satisfied their service obligation as required by IDEA 2004, the FY2005 requirements and the regulations published on June 5, 2006.

Q8. If applicable, provide a copy and identify the date and page number of 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.8 Form 5 CFR 1320.8(d) and Consultation Prior to OMB Submission

Since the last Paperwork Act submission, grantees have made few unfavorable comments. Comments have focused on the SOTS ease of use and the ability of the NCSO Helpdesk to provide support. The SOTS Grantee and Scholar Survey has received a 95% satisfaction rate. This collection is published in the Federal Register Notices for 30/60-days to solicit public comments.

Q9. Explain any decision to provide any payment or gift to respondents, other than re numeration of contractors or grantees.

A.9 Justification for Respondents' Payments

No payments or gifts will be provided to respondents other than normal remuneration to grantees.

Q10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulations, or agency policy.

A.10 Confidentiality

No assurance of confidentiality is provided to respondents.

Q11. 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.

A.11 Questions of a Sensitive Nature

No questions of a sensitive nature are contained in the application forms.

Q12. 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 be included in Item 14.**

A.12 Estimates of the Hour Burden of Data Collection on Respondents

Three different sources—the grantees, scholars/obligees and employers—will be asked to report or verify information about the scholar/obligee. The time taken by a scholar/obligee to complete the Employment Record form will vary based on employment history, military service, and volunteer activities. The approximate time required for grantees to complete the Scholar/Obligee Record Form and for employers to complete the Employer Verification form will not vary widely. Most of the information in these forms are pre-populated and require only verification. (See the tables below for specific information.)

Until now, grantees have each developed individual Service Obligation Agreement and Exit Certification forms that have varied widely. Many grantees have requested ED to provide standardized forms that include all the relevant information related to the service obligation. Also, ED and NCSO have found that some grantees have not developed forms or have provided insufficient information to their scholars. Therefore, ED has developed a standard Service Obligation Agreement form for grantees to use prior to offering a scholarship to a scholar and an Exit Certification form that the grantee will complete and the scholar will verify when the scholar exits the program. This should provide correct and sufficient information to scholars, grantees and ED. These forms are submitted for OMB approval with this information package.

The burden for completing the Service Obligation Agreement and Exit Certification continues to be difficult to estimate accurately. For example, programs can last from less than one year to four years. Thus, a range has been calculated. The grantees often meet with scholars in groups to explain the Service Obligation Agreement. Meetings are estimated to take 60 minutes. How often grantees complete Service Obligation Agreements in groups or how large the groups are is not known; therefore, the burden for grantees is estimated based on 202 grantees meeting with groups of five scholars.

When scholars exit the program, the grantees will provide each scholar with an Exit Certification to verify, sign and return, including scholar contact information, social security number (SSN), the amount of scholarship received and the length of the service obligation. It is estimated that this will take each scholar and grantees 30 minutes.

Employers have minimal recordkeeping burden related to this data collection. It is estimated that it will take employers ten minutes to review the instructions and verify scholars' employment.

Tables 1(a) through (d) below provide estimated annual reporting and recordkeeping burdens for grantees, scholars and employers.

Table 1(a). Estimated Annual Reporting Burden

Instruments For Scholars and Grantee Staff	Number of Scholars	Average Completion Time in Minutes	Frequency During Scholars' Program	Frequency Per Year	Estimated Total Burden In Minutes	Estimated Total Annual Burden in Hours
Grantee Burden						
Grantee Questionnaire Revised Burden	16,529	7	--	1	115,703	1,928
Estimated Annual Grantee Reporting Burden (Hours)						**1,928**
Scholar Burden						
Scholar Training & Employment Form Revised Burden	16,529	8	--	1	132,232	2,204
Estimated Annual Scholar Reporting Burden (Hours)						**2,204**
Employer Burden						
Employer Verification Form Revised Burden	16,529	7	--	1	115,703	1,928
Estimated Annual Employer Reporting Burden (Hours)						**1,928**
TOTAL Estimated Annual Reporting Burden for All Respondents (Hours)						**6,061**

Table 1(b). ***Estimated Annual Recordkeeping Burden in Program***

Documents for Scholars and Grantee Staff	Number of Scholars	Average Completion Time in Minutes	Frequency During Scholars' Program	Frequency Per Year	Estimated Annual Burden in Minutes	Estimated Annual Burden in Hours
Grantee Burden						
Grantee Agreement with Scholar	3,306 (Estimate based on Grantee completing document with groups of 5 scholars)	60	1 (Training programs range from 1 – 4 years)	--	198,360	3,306
Grantee Exit Agreement with Scholar	16,529	30	1	--	495,870	8,265
Estimated Annual Recordkeeping Burden for Grantees (Hours)						**11,571**
Scholar Burden						
Grantee Agreement with Scholar Revised	16,529	10	1 (Training programs range from 1 – 4 years)	--	165,290	2,755
Grantee Exit Agreement with Scholar	16,529	15	1 (Training programs range from 1 – 4 years)	--	247,935	4,132
Estimated Annual Recordkeeping Burden for Scholars in Program (Hours)						**6,887**
Estimated Annual Recordkeeping Burden for Grantees and Scholars in Program (Hours) 18,458						

Table 1(c) Estimated Annual Recordkeeping Burden After Program

Instruments For Scholars and Grantee staff	Number of Scholars	Average Completion Time in Minutes	Frequency During Scholars' Program	Frequency Per Year	Estimated Total Burden In Minutes	Estimated Total Annual Hour Burden
Employer Burden						
Employers' Review of Instructions and Gathering Data Revised	16,529	10	--	1 time per year	165,290	2,755
Estimated Annual Recordkeeping Burden for Employers After Program (Hours)						**2,755**
Scholar Burden						
Scholars' gathering of employment information for reporting to NCSO	16,529	10	--	1 time per year	165,290	2,755
Estimated Annual Recordkeeping Burden for Scholars After Program (Hours)						**2,755**
Estimated Total Recordkeeping Burden for Grantees , Scholars & Employers (Hours) 23,968						

Table 1(d). Total Annual Reporting and Record Keeping Burden for All Respondents

TOTAL ESTIMATED ANNUAL RECORDKEEPING AND REPORTING BURDEN FOR GRANTEES, SCHOLARS, AND EMPLOYERS (Hours)	**30,029**

Q13. 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 rates(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.**

A.13 Estimate of Total Annual Cost Burden to Respondents

There are no costs other than the burden identified in Q 12.

Q14. 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.

A.14 Estimate of Annualized Cost to the Federal Government

The average annual cost of the contract is $448,443.00.

Q15. Explain the reasons for any program changes or adjustments reported in Items 12 or 14 of the OMB Form 83-I.

A.15 Changes in Burden

This is a program change to OMB for current data collection with the inclusion of two additional template forms, the Service Obligation Agreement and Exit Certification. The online database for collection of data, the Service Obligation Tracking System (SOTS), was launched in 2009 after the original burden estimates were submitted in 2008 to OMB. The SOTS has enabled ED to calculate the reporting burden more accurately. The increase in burden is primarily due to the low estimates originally provided, and an increase in the total number of grantees, scholars/obligees and consequently employers, reporting information.

Adjustment -The increase in the total number of grantees and scholars/obligees in the program and reporting was derived from an estimated average of 25 scholars per grant based on the current actual numbers of Grantees (202), grants (517), and scholars/obligees (10,331) in the Service Obligation Tracking System (SOTS). Therefore, ED estimates for FY2011 and FY2012 an increase of 142 grants, an increase of 20 new grantees and increase of 6,198 scholars/obligees reporting data. Table 2 summarizes this data.

Table 2: Projected Burden Calculation

Number of Scholars/Obligees in SOTS (FY2005-2009)	Projected New Scholars/Obligees in FY 2010, 2011, & 2012	Total
10,331	6,198	**16,529**
Number of Grants in SOTS (FY 2005-2010)	Projected New Grants in FY 2011 - 2012	Total
517	142	**659**
Number of grantees in SOTS (FY2005-2010)	Projected new grantees in FY 2010, 2011, & 2012	Total
182	20	**202**

The overall reporting burden increased from a total of 1,563 to 6,061 hours for scholars/obligees, IHEs and employers. A breakdown of this increase is provided below.

The reporting burden increased for scholars/obligees from 1,000 to 2,204 hours. This includes a more accurate estimate of the time to complete the SOTS end-user forms based on the user experiences reported through the NCSO Helpdesk and increased time due to the increase in the number of scholars/obligees reporting.

The reporting burden for IHEs increased from 250 to 1,928 hours. This includes a more accurate estimate of the time to complete the SOTS end-user forms based on reported user experiences through the NCSO Helpdesk and the increase in the number of IHEs reporting data in the SOTS.

The reporting burden for employers increased from 313 to 1,928 hours. This includes a more accurate estimate of the time to complete the SOTS end-user forms based on reported user experiences through the NCSO Helpdesk and the increase in the number of employers due to the increased number of scholars/obligees reporting employment information in the SOTS.

In addition, the overall record keeping burden increased from 5,125 to 23,698 hours for scholars/obligees, IHEs and employers. This includes a more accurate estimate of the record keeping of scholars/obligees and IHEs during their time in the program program and burden for scholars/obligees and employers after the completion of their training program, when they are required to report information. A breakdown of this increase is provided below.

The record keeping burden for scholars/obligees increased from 1,875 to 9,662 hours. This includes an additional 10 minutes to maintain records related to their employment for reporting after completing their training program. In addition, the increase in the number of scholars/obligees reporting increased the burden.

The record keeping burden for IHEs increased from 2,625 to 11,571 hours. This includes the estimate of completing the pre-scholarship agreement and exit certification forms (included in this package for approval) and includes additional IHEs.

The record keeping burden for employeres increased from 625 to 2,755 hours. This includes a more accurate estimate of the record keeping burden for employers after the training program and the increased time is in part due to the increased number of employers.

Q16. 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.

A.16 Tabulation, Analysis, and Publication Plan and Schedule

Aggregated data pertaining to the performance measures will be included in an annual report to OSEP. Data may be presented by OSEP at the annual Project Directors' Meeting and may also be publicly available. Table 3 below summarizes the main data collection tasks and reporting timeline. Each data collection period runs from September through August.

Table 3. Data Collection Tasks and Reporting Timeline

Task	Reporting Timeline
Prepare system for data collection	Ongoing basis
Grantee enter data	Ongoing basis
Draft reports	July
Final report	August

Q17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

A.17 Reasons Not to Include OMB Expiration Data

Data collection instruments will include the OMB expiration date.

Q18. The information collection will not need an exception to the certification statement in OMB Form 83-1.

A.18 Exceptions to Certification Statements

No exceptions to the certification statements.