

Supporting Statement

Performance Report for the Robert C. Robert C. Byrd Honors Scholarship Program (ED Form E40-33P)

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 Robert C. Byrd Honors Scholarship Program is authorized under Title IV, Part A, Subpart 6 of the Higher Education Act of 1965, as amended (20 U.S.C. 1070d-31 through 1070d-41) and administered under 34CFR, Part 654.

Under the Robert C. Byrd Honors Scholarship Program, the Department of Education issues grants for states to provide scholarships for postsecondary study to outstanding high school graduates who show promise of continued excellence. The program regulations allow the Department to require any reports deemed necessary to make certain that the functions of the Robert C. Byrd Honors Scholarship Program are carried out. The information collected in the Performance Report ensures that State Education Agencies (SEA) are making scholarships available in accordance with the legislation and regulations that govern the Robert C. Byrd Honors Scholarship Program.

Further, this Performance Report form lends itself to the collection of quantifiable data needed to respond to the requirements of the Government Performance and Results Act (GPRA).

This is a reinstatement without change of a previously approved information collection request. The request was discontinued in June 2010.

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.

Each of the participating SEAs provides information on the Annual Performance Report (APR) about the state's use of program funds in order to demonstrate compliance with the program's statutory and regulatory requirements. The program staff uses the Performance Report data for monitoring program funds distribution and for program evaluation and policy recommendations.

SEAs are held accountable for evidence that scholarship recipients meet all statutory and regulatory requirements. The designated SEA is accountable to the Federal government for

the adequate documentation of student eligibility. State maintained fiscal and program records must demonstrate that funds go only to qualified recipients, in appropriate amounts, and in accordance with all the applicable statutes and regulations.

The Performance Report is the only vehicle used by Federal program officials to annually monitor and evaluate the compliance of SEAs. Without this data collection, the Federal program officials would have no means by which to monitor, evaluate, and ensure compliance with the program statute and regulations.

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 given to using technology to reduce burden.

SEAs are encouraged to use computer technology when feasible and cost effective. The SEAs use of electronic media for the retention of records for the Robert C. Byrd Honors Scholarship Program is approved under the provisions of EDGAR, Section 80.42.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

A single designated agency in each state is responsible for the administration of the Robert C. Byrd Honors Scholarship Program. Each SEA annually provides state specific data on its Performance Report that is not collected on any other form. Therefore, there is no duplication of reported information.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

The collection of information in this program does not impact any small entities. SEAs and ministries of education are the only grant recipients of the Robert C. Byrd Honors Scholarship Program. This form requests the information needed to evaluate the performance of the grantees, only. All of the information requested should be collected routinely by a grantee in the normal administration and evaluation of grant activities. Thus, the reporting burden is minimal.

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.

Information collection and recordkeeping must be kept on a yearly basis, at a minimum, in order to be accurate. Any lapse in the keeping of required information makes it impossible to determine accountability for use of Federal funds in compliance with statute and regulations.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

This report form is inconsistent with the general information collection guidelines specified in 5 CFR 1320.5. The record retention period required for this program is 5 years, not the 3 years required under 5 CFR 1320.5. The 5-year record retention period is required by 34 CFR 80.42 (b)(4) which implements the 5-year record retention requirement under 20 U.S.C. 1232f (Section 437 of the General Education Provisions Act (GEPA)). (See attached copies of 34 CFR 80.42 (b)(4) and Section 437 of GEPA).

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.

When the program was established, a committee of State Agency Officials representing the National Association of State Scholarship and Grant Programs (NASSGP) and other SEA officials were invited to provide the Department with comments and suggestions concerning this information collection. The invitation to make comments was reviewed in the original report. Since that time, members of NASSGP have been extended an invitation to comment on each information collection extension. A 60 day notice was published in the Federal Register on July 12, 2011, 76 FR 40889. No public comments were received. A 30-day Federal Register Notice was published in the Federal Register to allow public comment.

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

There are no gifts to respondents.

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

There is no assurance of confidentiality to state educational agencies.

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.

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 16 of IC Data Part 1.
- 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.

There are a total of 57 respondents to this annual information collection. The burden estimated for this information collection is 10 hours per respondent. Therefore the total annual SEA reporting burden is calculated as follows:

10 hours x 57 respondents = 570 hours

The hourly estimate includes identifying and collecting the relevant information, formatting and preparing the report response, securing appropriate signatures, and maintaining records.

The total annual cost burden to respondents is:

Professional Staff (10 hours x \$25.00/hr)-----	\$250.00
Support Staff (4 hours x \$15.00/hr)-----	\$ 60.00
Estimated annual total cost for computer usage-----	\$ 70.00
Estimated annual cost per respondent-----	\$380.00
Total Cost Burden to Respondents	\$21,660

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 acquiring and maintaining 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 : _____

No start-up cost required for this information collection.

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.

Federal Government Costs:

The annual cost of the Federal government for the processing of this Performance Report is estimated to be \$16,300.00. This cost includes staff time in: (1) preparing, printing, and mailing the reports; (2) processing the reports submitted by the states; (3) recording and analyzing the data for funding decisions to ensure state compliance with the program statute and regulations; and (4) preparation and posting of the Performance Report on the Institutional Development and Undergraduate Education Program Service WebPages.

The annual costs of the Federal government are calculated, as follows:

Professional Staff (300 hrs x \$40.00/hr) -----	\$12,000.00
Support Staff (200 hrs x \$12.00/hr) -----	\$ 2,400.00
Computer time, Miscellaneous (Printing of document & mailing) \$	1,000.00
World Wide Web preparation and posting -----	\$ 900.00
(One Professional Staff x 30 hrs x \$30.00/hr)	
Total estimated cost of the Federal Government -----	\$16,300.00

15. Explain the reasons for any program changes or adjustments reported.

This is a reinstatement without change of a previously approved information collection request. The request was discontinued in June 2010. Therefore, the current inventory for this collection is zero. This results in a program change of 570 burden hours and 57 responses.

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.

Results are not intended for statistical use or publication.

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.

The expiration date for OMB approval of the information collection will be displayed on the form.

18. Explain each exception to the certification statement identified in the Certification of Paperwork Reduction Act.

There are no exceptions.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection of information does not employ statistical methods.