

## SUPPORTING STATEMENT

### A. JUSTIFICATION

*Q1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attached is a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.*

On December 10, 2009, the U.S. Department of Education (Department) published final requirements and a State educational agency (SEA) application for the School Improvement Grants (SIG) program authorized under section 1003(g) of Title I of the Elementary and Secondary Education Act of 1965 (ESEA), as amended, and funded through the Department of Education Appropriations Act, 2009, and the American Recovery and Reinvestment Act of 2009 (ARRA) (FY 2009). On January 21, 2010, the Department published interim final requirements and a revised SEA application for FY 2009 SIG funds, which amended the final requirements and application issued in December.<sup>1</sup> The Department is also planning to issue an amended SEA application, containing technical changes from the application SEAs used to apply for FY 2009 funds, for FY 2010 SIG funds provided through the FY 2010 appropriations act, also governed by section 1003(g) of the ESEA and the final requirements.

The final requirements define the criteria that an SEA must use to award FY 2009 and FY 2010 SIG funds to local educational agencies (LEAs). In awarding these funds, an SEA must give priority to the LEAs with the lowest-achieving schools that demonstrate the greatest need for the funds and the strongest commitment to using the funds to provide adequate resources to their lowest-achieving schools that are eligible to receive services provided through SIG funds in order to raise substantially the achievement of the students attending those schools.

The final requirements also include information collection activities covered under the Paperwork Reduction Act (PRA). The activities consist of: (1) applications for an SEA to submit to the Department to apply for FY 2009, and FY 2010 SIG funds; (2) the reporting of specific school-level data on the use of SIG funds and specific interventions implemented in LEAs receiving SIG funds that the Department currently does not collect through *EDFacts*<sup>2</sup>; (3) the process for an LEA to apply to its SEA for SIG funds; and (4) the SEA's posting its LEAs' applications on the SEA's website.

The Department received emergency approval of the information collection activities, including an application for FY 2009 funds, at the same time it issued the final requirements. The Office of Management and Budget (OMB) also approved a change to the collection at the time the Department issued the interim final requirements in January. These approvals permitted the SEA application process for FY 2009 funds to begin so that students in the lowest-achieving schools start receiving the assistance they need as soon as possible. The information collection activities in the final requirements continue past the period of emergency approval. Therefore, the Department is requesting regular

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<sup>1</sup> Together, these requirements are referred to in this document as the "final requirements."

<sup>2</sup> The Department is proposing to collect this information through *EDFacts*. More information is provided in Q12.

approval of the information collection activities, including the amended SEA application for FY 2010 SIG funds.

*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.*

The information is needed to successfully implement the SIG program.

*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.*

The information collections that involve SEAs providing information to the Department may be submitted electronically. An SEA may also have its LEAs submit their applications electronically to the SEA.

*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.*

There is no duplication in the collection.

*Q5. 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 information collections in the final notice do not disproportionately add burden to small LEAs.

*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.*

If the collection were not conducted, the Department would not be able to continue to implement the SIG program in accordance with the President's and Secretary of Education's priorities. As a result, students attending the lowest-achieving schools would not receive services provided through SIG funds designed to substantially raise their achievement.

*Q7. 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 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.*

This collection is consistent with 5 CFR 1320.5.

*Q8. 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 those 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 preclude consultation in a specific situation. These circumstances should be explained.*

The Department invited the public to comment on the burden in the notice of proposed requirements and indicated that it expected to seek emergency approval, which it subsequently received from OMB. In addition, the public has had the opportunity to comment during the 60-day and 30-day periods for this regular collection.

*Q9. 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 or will be made.

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

There is no assurance of confidentiality.

*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.*

There are no questions of a sensitive nature.

*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.*

The final requirements include information collection activities for SEAs and LEAs. We provide a description of each activity and accompanying burden estimate in the following tables. The first table presents the estimate for SEAs and the second table presents the estimate for LEAs. Unlike the emergency paperwork request, burden is not included in the SEA table for “Collect and report data to the Department” or in the LEA table for “Report data to SEA.” The Department is proposing to collect this information through *EDFacts*, and, accordingly, is seeking separate approval for those information collection activities as part of the *EDFacts* collection. We are taking this approach because we believe that *EDFacts* is the most appropriate tool to collect this information from States and because public comments from the States themselves were supportive.

### State Educational Agency Estimate

SIG Activity	Number of SEAs	Hours/Activity	Hours	Cost/Hour	Cost
Complete SEA application (including requests for waivers)	52	100	5,200	\$30	\$156,000
Review and post LEA applications	52	800	41,600	\$30	\$1,248,000
Collect and report data to the Department *					
<b>Total</b>			<b>46,800</b>	<b>\$30</b>	<b>\$1,404,000</b>

\*See the previous paragraph.

### Local Educational Agency Estimate

SIG Activity	Number of LEAs	Hours/Activity	Hours	Cost/Hour	Cost
Complete LEA application	3,050	60	183,000	\$25	\$4,575,000
Report data to SEA*					
<b>Total</b>			<b>183,000</b>	<b>\$25</b>	<b>\$4,575,000</b>

\* See the previous paragraph.

*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 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 #14.

*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.*

The Federal costs related to the collections will primarily involve reviewing the SEA applications. We estimate a cost of \$253,910.

*Q15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.*

This is a request for regular approval of collection OMB 1810-0682 with a program change of -50,080 hours and an adjustment of -2,080 a total burden reduction of -52,160. The estimated hours for the regular collection (229,800) are less than those approved for the emergency collection (281,960) because the emergency request included estimated hours for SEAs and LEAs to report certain SIG-related information. The Department is proposing to collect this information through *EDFacts*, the adjustment of -2,080 and is seeking public comment on this approach. Therefore, we have removed the hours for collecting the reporting information from this collection.

*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.*

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

*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.*

No request is being made to not display the expiration date for OMB approval of the information collection.

*Q18. 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 referenced certification statement.

**B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS**

This information collection does not employ statistical methods.