

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.

On December 23, 2011, the President signed into law the FY 2012 Consolidated Appropriations Act of 2012 (Public Law 112-74), which provides appropriations for the U.S. Department of Education for fiscal year (FY) 2012. The legislation appropriates \$284,461,350 for Teacher Incentive Fund (TIF) competitive grants that must be awarded by September 30, 2012. Specifically, the relevant provisions of Pub. L. 112-74 states:

Provided further, That \$300,000,000 of the funds for subpart 1 of part D of title V of the ESEA shall be for competitive grants to local educational agencies, including charter schools that are local educational agencies, or States, or partnerships of: (1) a local educational agency, a State, or both; and (2) at least one nonprofit organization to develop and implement performance-based compensation systems for teachers, principals, and other personnel in high-need schools: Provided further, That such performance-based compensation systems must consider gains in student academic achievement as well as classroom evaluations conducted multiple times during each school year among other factors and provide educators with incentives to take on additional responsibilities and leadership roles: Provided further, That recipients of such grants shall demonstrate that such performance-based compensation systems are developed with the input of teachers and school leaders in the schools and local educational agencies to be served by the grant: Provided further, That recipients of such grants may use such funds to develop or improve systems and tools (which may be developed and used for the entire local educational agency or only for schools served under the grant) that would enhance the quality and success of the compensation system, such as high-quality teacher evaluations and tools to measure growth in student achievement: Provided further, That applications for such grants shall include a plan to sustain financially the activities conducted and systems developed under the grant once the grant period has expired: Provided further, That up to 5 percent of such funds for competitive grants shall be available for technical assistance, training, peer review of applications, program outreach, and evaluation activities.

The purpose of this information collection is to solicit applications from eligible entities for these TIF grants.

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 data provided through this information collection will be used by application reviewers and the Department to assess the extent to which an applicant meets the priorities, requirements, and selection criteria of the TIF program competition and determine which applicants should receive grants.

The Department intends to use independent reviewers from various backgrounds and professions, including those with expertise in: teacher and principal evaluation systems, human capital decision making, teacher and principal effectiveness, data management and analysis, educational policy, teaching, school leadership, professional development, and/or program evaluation. The Department will thoroughly screen all reviewers for conflicts of interest to ensure a fair and competitive review process.

In addition, ED will use the information provided in this collection to prepare summaries of the activities each grantee will carry out and will disseminate to members of Congress and the general public. ED will also use this information to monitor the progress and performance of each grantee in carrying out the activities described in the application.

The Department used information collected under this control number to award TIF grants in FY 2010. The information to be collected in project applications with regard to funds appropriated to the Department for FY 2012 under Pub. L. 112-74 is different from the information collected for purposes of the award of appropriated funds provided for FY 2010.

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.

The eligible entities will submit applications electronically. An electronic document reduces costs of printing and makes the process of data collection more efficient.

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.

There is no duplication in the collection.

5. If the 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 that may apply for the TIF program include small local educational agencies (LEAs) and nonprofit organizations applying for and receiving funds under this program in partnership with another LEA, or with an LEA and a State Educational Agency (SEA). Applicants will be required to apply electronically, which will help to reduce the burden. Additionally, the Department will monitor the application and review process to identify any areas where burden can be reduced for future competitions.

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 consequence of not conducting this collection of information is that the Department would be unable to receive applications from eligible applicants under the Teacher Incentive Fund, and thus the Department would be unable to award funds Congress appropriated to the Department for this purposes in Public Law 112-74.

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.**

None of the special circumstances listed above apply. This collection is consistent with 5 CFR 1320.5.

- 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.

The Department has substantially revised the application package used for the FY 2010 Teacher Incentive Fund competition to align with the proposed priorities, requirements, definitions, and selection criteria for the competition to be conducted for FY 2012 and future years. The Department will publish a notice in the *Federal Register* seeking comment on the proposed priorities, requirements, definitions, and selection criteria for the FY 2012 and future year competitions and the information collection. Based on comments received during that 30-day comment period, the Department may revise the information collection.

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

Respondents will not be provided any payments or gifts for data collection.

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

The Department is not requesting any confidential information, so no assurances of confidentiality are necessary.

- 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 not be included in Item 14.**

The Department anticipates that 120 entities will apply for the Teacher Incentive Fund grant competition, and that preparing these applications will take each applicant, on average, 248 hours at a cost of \$30/hour. As a result, the Department estimates the total annual number of hours for all respondents to prepare applications to be 29,760, and the total annual cost of doing so to be \$892,800.

In determining the total burden hours and costs, the Department anticipates that it will hold one TIF discretionary competition per year for each of the next three years, the period covered under this information collection. The Department anticipates receiving 120 applicants under each competition, and that, on average, each applicant will spend 248 hours to apply. As a result, the Department anticipates that applicants, in aggregate, will spend a total of 89,280 hours at a total cost of \$2,678,400 over the course of three years. Annual burden will be 29,760 hours.

Applicant Estimates

TIF Activity	Number of Applicants	Hours/Activity	Hours	Cost/Hour (GS-12)	Cost
Complete Application per year	120	248	29,760	\$30	\$892,800

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 : \$.00

Total Annual Costs (O&M) : .00

Total Annualized Costs Requested : \$.00

There are no start-up costs for this 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.

The Federal costs will involve screening the applications, managing the grant review, reviewing the budgets, and awarding Teacher Incentive Fund grants.

- Grade 9: 200 hours at \$24.74/hour = \$4,948
- Grade 13: 600 hours at \$42.66/hour = \$25,596
- Grade 14: 100 hours at \$50.41/hour = \$5,041
- Grade 15: 100 hours at \$59.30/hour= \$5,930

Additionally, the Department will use a Contractor for assistance with the peer review. The cost of the peer review is expected to be \$566,603. The total includes costs for meeting space for the review, contractual support, conference calls, printing, mailing expenses, computer and printer rental, and reviewer expenses (travel, lodging, and honoraria).

The Department will also use a contractor for planning workshops, estimated to cost approximately \$50,000.

We expect the annual total cost to the Government to be: \$658,118. The total cost to the Government over the course of three years is anticipated to be \$1,974,354.

15. Explain the reasons for any program changes or adjustments to #16f of the IC Data Part 1 Form.

The increase in burden hours is due to a program change. Specifically, the revised collection requires each applicant to submit an application reference chart that identifies where in the applicant's application peer reviewers and program staff can find various required elements of the application, including where the applicant addressed the priorities and program requirements, where it provided a list of "high-need" schools, and, for group applications, the required memorandum of understanding or other binding agreement among the parties to the application. This change is intended to facilitate the review of applications, as well as to ensure that applicants do not unintentionally omit a required element of the application. The application reference chart appears in Appendix 1 of the application package.

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.

Some of the information collected in the grant applications may be analyzed with performance data and shared on a government website such as ed.gov.

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 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 to the certification statement identified in the “Certification for Paperwork Reduction Act Submissions” Form.