**SUPPORTING STATEMENT**

**FOR PAPERWORK REDUCTION ACT SUBMISSION**

**Student Assistance General Provisions – Student Right-to-Know (SRK)**

## 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 hard copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information, or you may provide a valid URL link or paste the applicable section[1]. Specify the review type of the collection (new, revision, extension, reinstatement with change, reinstatement without change). If revised, briefly specify the changes. If a rulemaking is involved, make note of the sections or changed sections, if applicable.

> This is an extension request for the current OMB collection 1845-0004. Section 485 of the Higher Education Act of 1965, as amended (HEA) authorizes the administration of the Student Right-to-Know (SRK) regulations. These regulations are in 34 CFR 668.41 and 668.45 and relate to the retention, placement and post-graduate study by students at an institution.

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.

> Eligible participating institutions are required to provide this SRK information to all enrolled students, prospective students prior to their enrolling or entering into a financial obligation with the school as well as to institution's employees. This information must be made through publications, mailings and electronic media. The SRK information is made available so that students and prospective students can be aware of the ability of students at that institution to complete a course of study as well as find employment or continuing education opportunities upon graduation.

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.

[1] Please limit pasted text to no longer than 3 paragraphs.

Institutions are allowed to provide the Student-Right- to-Know information using web based technology, providing the exact web address for either the Internet or an intranet.

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.

There is no duplication of data as a result of the collection of this information.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden. A small entity may be (1) a small business which is deemed to be one that is independently owned and operated and that is not dominant in its field of operation; (2) a small organization that is any not-for-profit enterprise that is independently owned and operated and is not dominant in its field; or (3) a small government jurisdiction, which is a government of a city, county, town, township, school district, or special district with a population of less than 50,000.

Institutions are required by statute and regulation to provide this information. The Department allows for filing of the information electronically as well as providing it to the required audience electronically.

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.

Statute requires that this information be collected and disseminated annually.

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 that 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 information collection requires no special circumstances.

8. As applicable, state that the Department has published the 60 and 30 Federal Register notices as 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.

This is the 30 day comment period request. There has been no change to the regulations since 2009 when these regulations were last reviewed through negotiated rulemaking. The 60 day comment period elicited one comment however there was no change to the regulatory requirements based on the comment.

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

No payments or gifts have been or will be provided to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy. If personally identifiable information (PII) is being collected, a Privacy Act statement should be included on the instrument. Please provide a citation for the Systems of Record Notice and the date a Privacy Impact Assessment was completed as indicated on the IC Data Form. A confidentiality statement with a legal citation that authorizes the pledge of confidentiality should be provided.[2] If the collection is subject to the Privacy Act, the Privacy Act statement is deemed sufficient with respect to confidentiality. If there is no expectation of confidentiality, simply state that the Department makes no pledge about the confidentially of the data.

These requirements do not cover any confidential information.

[2] Requests for this information are in accordance with the following ED and OMB policies: Privacy Act of 1974, OMB Circular A-108 – Privacy Act Implementation – Guidelines and Responsibilities, OMB Circular A-130 Appendix I – Federal Agency Responsibilities for Maintaining Records About Individuals, OMB M-03-22 – OMB Guidance for Implementing the Privacy Provisions of the E-Government Act of 2002, OMB M-06-15 – Safeguarding Personally Identifiable Information, OM:6-104 – Privacy Act of 1974 (Collection, Use and Protection of Personally Identifiable Information)

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 Department is not requesting data of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- Indicate the number of respondents by affected public type (federal government, individuals or households, private sector – businesses or other for-profit, private sector – not-for-profit institutions, farms, state, local or tribal governments), frequency of response, annual hour burden, and an explanation of how the burden was estimated, including identification of burden type: recordkeeping, reporting or third party disclosure. All narrative should be included in item 12. 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 the ROCIS IC Burden Analysis Table. (The table should at minimum include Respondent types, IC activity, Respondent and Responses, Hours/Response, and Total Hours)
- 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.

These regulations apply reporting burden to institutions. We have discovered that prior burden calculations have over counted the number of institutions and responses by adding a total count of institutions to the previous count of institutions and required responses instead of adding or subtracting from that base to represent the correct count of institutions certified to participate in Title IV, student federal assistance programs.

To correct this error in reporting the previous collection figures, the numbers below represent the number of institutions that are certified to participate in one or more of the Title IV, student federal assistance programs as of August 9, 2012 as 5,850. There are 3 reporting requirements for all participating institutions. There are 2 reporting requirements that affect a subset of the 5,850.

This reporting adjustment will result in a decrease in burden from the previously reported burden.

Affected Entities and Burden:

668.41(d)(3) – retention rate reporting

| | # of Respondents | # of Responses | | # of Hours Burden |
|---|---|---|---|---|
| Institutions: | | | | |
| Public | 1,902 | 1,902 | X .17 hours = | 323 hours |
| Private | 1,747 | 1,747 | X .17 hours = | 297 hours |
| Proprietary | 2,201 | 2,201 | X .17 hours = | 374 hours |
| TOTAL | 5,850 | 5,850 | | 994 hours |

668.41(d)(4) – completion/graduation/transfer out rate

| | # of Respondents | # of Responses | | # of Hours Burden |
|---|---|---|---|---|
| Institutions: | | | | |
| Public | 1,902 | 1,902 | X .50 hours = | 951 hours |
| Private | 1,747 | 1,747 | X .50 hours = | 874 hours |
| Proprietary | 2,201 | 2,201 | X .50 hours = | 1,101 hours |
| TOTAL | 5,850* | 5,850 | | 2,926 hours |

668.41(d)(5) – placement of and type of employment obtained by graduates of degree or certification programs

| | # of Respondents | # of Responses | | # of Hours Burden |
|---|---|---|---|---|
| Institutions: | | | | |
| Public | 1,902 | 1,902 | X .50 hours = | 951 hours |
| Private | 1,747 | 1,747 | X .50 hours = | 874 hours |
| Proprietary | 2,201 | 2,201 | X .50 hours = | 1,101 hours |
| TOTAL | 5,850* | 5,850 | | 2,926 hours |

668.41(d)(6) – types of graduate/professional degrees that 4 year degree graduates pursue

| | # of Respondents | # of Responses | | # of Hours Burden |
|---|---|---|---|---|
| Institutions: | | | | |
| Public | 1,902 | 1,902 | X .50 hours = | 951 hours |
| Private | 1,747 | 1,747 | X .50 hours = | 874hours |
| Proprietary | 110 | 110 | X .50 hours = | 55 hours |
| TOTAL | 3,759* | 3,759 | | 1,880 hours |

668.45(a)(6) – disaggregation of graduation rates by specified groups

| | # of Respondents | # of Responses | | # of Hours Burden |
|---|---|---|---|---|
| Institutions: | | | | |
| Public | 1,902 | 1,902 | X 2 hours = | 3,804 hours |
| Private | 1,747 | 1,747 | X 2 hours = | 3,494 hours |
| Proprietary | 110 | 110 | X 2 hours = | 220 hours |
| TOTAL | 3,759* | 3,759 | | 7,518 hours |

*These institution counts are not added together to avoid over counting of the maximum number of institutions certified to participate in the Title IV, student financial assistance programs. However each response accurately represents the burden to the applicable institutions.

**Total of Proposed Reporting Burden Identified Above:**

| # of Respondents | # of Responses | #of Burden Hours |
|---|---|---|
| 5,850 | 25,068 | 16,244 |

**Current Burden Inventory**:

| # of Respondents | # of Responses | #of Burden Hours |
|---|---|---|
| 33,085 | 34,885 | 244,179 |

**Revised Burden Inventory (Proposed Burden minus Current Burden):**

| # of Respondents | # of Responses | #of Burden Hours |
|---|---|---|
| -27,235 | -9,817 | -227,935 |

We estimate that the cost to the institutional respondents will be:

| | # of Respondents | | Est. $ per Response | Est. $ Burden |
|---|---|---|---|---|
| Institutions: | | | | |
| Public | 1,902 | X | $24.61 | X 3.67 hours = $ 171,786 |
| Private | 1,747 | X | $24.61 | X 3.67 hours = $ 157,787 |
| Proprietary | 2,201 | X | $24.61 | X 1.17 hours = $ 63,375 |
| Proprietary | 110 | X | $24.61 | X 2.50 hours = $ 6,768 |
| TOTAL | 5,850 | | | $ 399,716 |

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. Also, these estimates should not include the hourly costs (i.e., the monetization of the hours) captured above in Item 12

There are no additional respondent burden costs from those identified in #12.

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.

There are no additional costs to the Federal government from these regulations.

15. Explain the reasons for any program changes or adjustments. Generally, adjustments in burden result from re-estimating burden and/or from economic phenomenon outside of an agency's control (e.g., correcting a burden estimate or an organic increase in the size of the reporting universe). Program changes result from a deliberate action that materially changes a collection of information and generally are result of new statute or an agency action (e.g., changing a form, revising regulations, redefining the respondent universe, etc.). Burden changes should be disaggregated by type of change (i.e., adjustment, program change due to new statute, and/or program change due to agency discretion), type of collection (new, revision, extension, reinstatement with change, reinstatement without change) and include totals for changes in burden hours, responses and costs (if applicable).

This request is to extend the current information collection. There has been no revision to the required reporting of the specific student right to know information. The adjustment in the burden hours is an effort to rectify the over counting of the number of institutions certified to participate in the title IV, HEA federal student aid programs which previously had been overstated.

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.

Schools are required to report their completion or graduation rates to the Department through the Integrated Postsecondary Education Data System (IPEDS) website which is available to the general public at http://nces.ed.gov/ipeds/.

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 Department is not seeking this approval.

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

The Department is not requesting any exceptions to the “Certification for Paperwork Reduction Act Submissions” of OMB Form 83-I.