

**SUPPORTING STATEMENT FOR  
PAPERWORK REDUCTION ACT SUBMISSION**

**OMB No. 1810-0683**

**MIGRANT EDUCATION PROGRAM (MEP)**

**PROPOSED REGULATIONS TO IMPLEMENT AND SUPPORT THE MIGRANT  
STUDENT INFORMATION EXCHANGE (MSIX) & MINIMUM DATA ELEMENTS**

**A. Justification**

*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.*

A1. The U.S. Department of Education (ED) is proposing new regulations to implement the Migrant Student Information Exchange (MSIX), a nationwide, electronic records exchange mechanism mandated under Title I, Part C of the Elementary and Secondary Education Act (ESEA), as amended by the No Child Left Behind Act. As a condition of receiving a grant of funds under the Migrant Education Program (MEP), each State educational agency (SEA) would be required to collect, maintain, and submit minimum health and education-related data to MSIX within established timeframes. The proposed regulations would facilitate timely school enrollment, placement, and accrual of secondary course credits for migratory children and help us determine accurate migratory child counts and meet other MEP reporting requirements. The MEP is authorized under sections 1301-1309 in Title I, Part C of the ESEA. MSIX and the minimum data elements (MDEs) are authorized specifically under section 1308(b) of the ESEA.

This collection replaces the current collection for the MSIX MDEs under OMB No. 1810-0683. The burden hours and costs associated with this data collection are required to ensure that States implement and utilize MSIX for interstate migrant student records exchange, which will then enable the Department to meet the statutory mandate in section 1308(b) of the ESEA to facilitate the electronic exchange of MDEs by SEAs to address the educational and related needs of migratory children.

The information collection addresses the following statutory requirements in the ESEA:

- Section 1304(b)(3), which requires SEAs to promote interstate and intrastate coordination of services for migratory children, including providing educational continuity through the timely transfer of pertinent school records (including health information) when children move from one school to another, whether or not the move occurs during the regular school year.
- Section 1308(b)(1), which requires ED to assist SEAs in providing for the electronic transfer of migrant student records.
- Section 1308(b)(2), which requires ED, in consultation with SEAs, to ensure the linkage of migrant student record systems for the purpose of electronically exchanging health and educational information regarding migrant children among States and determine the MDEs that each SEA shall collect and maintain for electronic exchange.
- Section 1309(2), which provides the statutory definition of a migratory child. A total of 418,643 migratory children ages 0-21 are eligible for MEP services as reported by the States in their 2010-11 Comprehensive State Performance Reports (CSPRs).

A copy of the relevant sections of Title I, Part C of the ESEA is available in the [Applicable Statute document](#).

In accordance with ESEA section 1308(b)(1), ED's Office of Migrant Education (OME) awarded a contract on September 30, 2006, to provide software design, development, implementation and maintenance for MSIX. ED supported two pilot implementations during fiscal year 2007, and the system was completed in late September 2007. OME awarded a subsequent contract on July 31, 2011, for the continued operations, maintenance, and enhancement of MSIX. MSIX currently contains data for 49 States and 99% of the migrant student population.

MSIX provides the technology that allows all States to share educational and health information on migrant children who travel from State to State and who, as a result, have student records in multiple States' information systems. MSIX works in concert with the existing migrant student information systems that States currently use to manage their migrant data to fulfill their responsibilities under ESEA section 1304(b)(3) to ensure the appropriate enrollment, placement, and accrual of credits for migrant children nationwide.

ED has consulted with SEAs since 2002 to identify an appropriate set of MDEs needed to fulfill the statutory requirements for records exchange. This process has resulted in a set of 72 defined total MDEs that can be retrieved electronically among all States, relying to the maximum extent practicable on existing SEA information systems as the source of data that can be exchanged nationally. A document with descriptions for the MDEs is available in the [Minimum Data Elements](#).

In order to meet the requirements of ESEA section 1304(b)(3), SEAs participating in the MEP must request the records of eligible migrant children who arrive in their State or district and must transmit records in a timely manner for those migrant children who move out of their State or district to another location. To date, 49 States have provided MSIX with varying amounts of data on their migrant students. This information collection includes the burden for the States to complete their start-up data submissions, as well as the three-year annualized burden for subsequent data submissions as required under the proposed regulations.

*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.*

A2. The information to be collected and maintained in MSIX is about individual migrant children aged 0-21 who are eligible to receive services under the MEP. It will be used by SEAs, migrant student educators, MEP personnel, school registrars, and school guidance counselors to retrieve consolidated educational and health information among all States on migrant children who move across district and State boundaries because of their migrant lifestyle. These MDE's reflect the minimal information needed to ensure proper enrollment, grade and course placement, and accrual of secondary course credits for migratory children. ED may also use MDEs to produce child counts and other national data on the migrant population.

The information collection will be conducted by SEAs who will collect, enter, and submit MDEs electronically to MSIX from their existing State data systems. In addition to the burden of collecting and entering the data into the State's own data systems, this information collection request also includes the burden estimate for SEAs to develop an appropriate interface for submitting all 72 total MDEs to MSIX in an electronic format.

MSIX has been operational since 2007 and, as such, many SEAs are already submitting many or all of the MDEs for their States' migratory children. Under the proposed regulations, SEAs are not required to resubmit any MDEs to MSIX that have already been submitted. In addition, this information collection is needed for only 41 of the MDEs because the other 30 MDEs are collected and entered into State data

systems through other sources, including the separately-approved information collections for the MEP Certificate of Eligibility (COE) and related regulations, and another collection for ED’s Education Data Exchange Network (EDEN). The MDEs also include common business information from State or District computer systems, such as the *School Identifier Code* assigned by the State or District computer system. As discussed in A12 below, there is no need to account for the burden of submitting these MDEs electronically to MSIX because we have assumed for purposes of this collection that data submission occurs automatically once the State’s electronic interface with MSIX has been established.

Information reporting by SEAs will be required as follows:

Reporting Activity	Description	Timeframe
1. Start-up Data Submission - 200.85(b)(2)(i)	Collect and submit to MSIX MDEs (applicable to child’s age and grade level) for every migrant child whom the SEA considered eligible for MEP services within one year preceding the effective date of the regulations.	No later than 90 calendar days after the effective date of these regulations
2. Newly Documented Migratory Children 200.85(b)(3)(i)(A)	Collect and submit to MSIX all MDEs (applicable to child’s age and grade level) for newly documented migrant students.	Within 10 working days of documenting the child’s eligibility for the MEP
3. Newly Documented Migratory Children with Secondary School Records in the Same State - 200.85(b)(3)(i)(B)	Collect and submit all applicable MDEs from the most recent secondary school previously attended by the student within the same State	Within 10 working days of documenting the child’s eligibility for the MEP
4.* Newly Documented Migratory Children with Secondary School Records from Another State - 200.85(b)(3)(i)(B)	Notify MSIX if one of its local operating agencies obtains records from a secondary school previously attended by the migrant student in another State.	Within 30 calendar days of receipt of records by an LEA.
5. End of Term Submission - 200.85(b)(3)(ii)	Collect and submit to MSIX all MDE updates and newly available MDEs for migratory children who were eligible for the MEP during the term and for whom the SEA previously submitted data	Within 30 calendar days of the end of an LEA or local operating agency’s fall, spring, summer, or intersession terms
6. Change of Residence Submission - 200.85(b)(3)(iii)	Collect and submit to MSIX all newly available MDEs and MDE updates that have become available to the SEA or one of its local operating agencies.	Within 4 working days of receiving notification from MSIX that migratory child has changed residence to a new local operating agency within the State or to a new State
7. Parental Request for MSIX Data Correction - 200.85(e)(1)(ii)	If an SEA determines that data previously submitted to MSIX should be corrected as the result of a request from a parent, guardian, or migrant student, the SEA shall submit revised data to MSIX to correct the previously submitted data	Within 4 working days of the SEA’s determination to correct the data previously submitted to MSIX
8. Response to ED - 200.85(e)(3)	Submit information requested by ED needed to respond to an individual’s request to amend a record under the Privacy Act.	Within 10 working days of ED’s request.

\*This data element is the only new MDE being added to this collection. All other MDEs were previously approved under OMB No. 1810-0683.

This information collection is used to enable MSIX to enhance the continuity of services for migrant

children by providing a mechanism for SEAs to exchange educational and health related information on migrant children who move from one State or district to another. Pursuant to section 1308 of the ESEA, the information will enable SEAs to exchange MDEs that have been identified as necessary for fulfilling the requirements of the MEP for continuity of instruction. It is anticipated that the information made available through this collection will enable SEAs to reduce educational disruptions for migrant children, provide information needed for school placements, ensure academic credit for school work completed, streamline academic progression toward graduation requirements, and provide complete academic records needed for postsecondary education and employment opportunities. It is also anticipated that the existence and use of MSIX will help to reduce incidences of unnecessary immunizations of migrant children because of a lack of timely, accurate health information, and facilitate the timely accrual of credits for secondary school migrant students by providing accurate academic information on the student's courses and academic progress.

*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.*

A3. The information collection requires SEAs to submit MDEs as electronic information to MSIX. SEAs are already using automated information systems to collect, analyze and maintain information on migrant children, and to the extent consistent with digital information exchange requirements, SEAs may continue to use existing automated systems for collecting and submitting MDEs to MSIX. Additionally, 49 SEAs are already electronically submitting some or all of the MDEs to MSIX. It is assumed that once an electronic interface has been established between State information systems and MSIX, there is no additional effort to electronically submit data to MSIX that has already been collected and entered into the State information systems.

*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.*

A4. The information that SEAs submit to MSIX is unique to each child enrolled in the MEP and, while some of the data are collected and available directly from the States, they are not all collected or available for interstate information exchange on a national basis (and in a cross-State consolidated student file) through any source other than MSIX. As noted in A2 above, States already collect and enter into their data bases some of the MDEs under separate ED information collections. This MSIX information collection will not duplicate (or otherwise include) the burden associated with the MDEs available for submission to MSIX from other authorized collections, including the COE and EDEN information collections. That is, those data collection burdens are not included in this supporting statement even though the submission of those MDEs to MSIX is mandatory under the proposed regulations because the burdens for collecting and entering these data into State systems have been accounted for elsewhere.

*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.*

A5. Small businesses are not impacted by this data collection.

*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.*

A6. If the collection is not conducted, ED will be unable to carry out its statutory mandate under section 1308 of the ESEA. Additionally, SEA grantees of the MEP would be hindered in determining the educational and health status of migratory children who move among States, making prompt and appropriate educational placements, and providing for a continuity of services for migrant children. In addition, migrant children may be at risk of omitted or unnecessary immunizations. Secondary students

may be unable to document coursework that could be important for graduation, entry into postsecondary education, or employment opportunities.

*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.*

A7. Moves by migratory children throughout the school year provide special circumstances for expedited data collection and submission to MSIX. Section 1308(b)(2)(B) of the ESEA provides that SEAs shall be able to obtain “immediate access” to the required MDEs. ED and its contractors have determined, after consultation with intended users among the State and local MEP staff, that this statutory provision can best be achieved by requiring an SEA to submit applicable MDEs to MSIX within 10 working days of documenting that a child is eligible for the MEP, and within 4 working days of notice from MSIX of a child’s change in residence. It is anticipated that all other information collection requirements will conform to 5 CFR § 1320.5, including the requirement for SEAs to provide updated and newly available information about children within 30 calendar days of the end of each semester, trimester, intersession, or summer session.

Respondents should retain records for as long as a migrant child is in the MEP program, which may be for more than three years. Records must be available to SEAs to ensure proper enrollment, grade and course placement, and accrual of secondary course credits for migratory children

Consultation with the States revealed that not all States were ready to submit all of the MDEs when MSIX first became operational and instead submitted MDEs in the following three phases to minimize the submission burden: Phase 1- basic student information and demographics; Phase 2- assessment information; and Phase 3- course history information. Phased implementation of MSIX is no longer warranted as States have largely included the required MDEs in their statewide or migrant-specific databases. Under the proposed regulations, SEAs that have not already done so are required to provide all of the 72 total MDEs in their first submission within 90 days of the effective date of the regulations, and then to provide subsequent information as discussed in the preceding paragraphs.

*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 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.*

A8. The Department published a 60-day data collection notice with the cited NPRM in the Federal Register.

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

A9. No gifts or payments to be made to respondents.

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

A10. Although this collection does not provide any assurance of confidentiality, all persons who access this information must accept and sign the MSIX Rules of Behavior, which contain a detailed description of the safeguards that each system user must follow to protect the privacy and security of the information. The [Rules of Behavior](#) requires compliance with the confidentiality standards in the Privacy Act of 1974 as amended. A [Privacy Impact Assessment](#) is published online. The Department published a [System of Records Notice](#) for MSIX in the Federal Register on December 5, 2007, Vol. 72, number 233, pages 68572-68576. The SORN is currently being updated for non-substantive revisions.

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.*

A11. The proposed regulations do not require any questions of sensitive nature in this collection of information.

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.*

A12. Estimated hour burden for the collection of information.

Amortized over three years, the total annualized burden for all SEA respondents is estimated at 465,866 hours for all information collection requirements in the proposed regulations. This amounts to an average of 9,317 hours per year for each of the 50 participating SEAs (including three States administered under the MEP bypass arrangement). Because eligibility for MEP services varies greatly among the States, we have also estimated the overall burden as 1,113 hours annually per 1,000 eligible children as a means for enabling individual SEAs to assess the impact of the information collection burden.

These estimates were developed in consultation with the States by program and contract staff with experience in the State-level administration of the MEP. See the tabular summaries and discussion below for a further explanation of the calculations.

**Estimates of Annualized Burden to SEA Respondents:**

As noted in A2 above, these estimates include the burden for only 41 of the 72 total MDEs covered under this information collection. The remaining MDEs are collected under separately approved information collections, including collections for the MEP Certificate of Eligibility (COE) and EDEN. We estimated the burden in minutes by reporting activity based upon consultation with States, analysis of the information reported by each State in its 2010-2011 CSPR, and State data submitted previously to MSIX. The estimated burden to collect the MDE information includes the effort to enter the data in the appropriate State information systems for electronic transmission to MSIX. It is assumed that this activity would be integrated into each State’s ongoing processes for routine MEP student information collection and data processing. It is also assumed that once the one-time activity to implement an electronic interface between the State information system(s) and MSIX has been completed, there is no additional measurable effort for the electronic submission of collected data to MSIX.

By Reporting Activity	Annualized Burden for all SEA Respondents
1 Start-up Data Submissions	21,651
2 Newly Documented Migratory Children	109,435
3 Newly Documented (Secondary Records - Same State)	26,664
4 Newly Documented (Secondary Records - Out of State)	15,609
5 End of Term Submissions	291,278
6 Change of Residence Submissions	1,194
7 Parental Request to SEA for Data Correction	31
8 Response to ED - Parental Request to ED for Data Correction	4
<b>Annualized Total over 3 Years for All SEAs</b>	<b>465,866</b>
Average Hours per SEA	9,317
Average Person Years per SEA (at 2,080 hours/year)	4.5
Average Hours per 1,000 Eligible Children (of 418,643 Children)	1,113

**Start-up Data Submissions.** Twenty-two States have already met the requirement to collect and submit to MSIX MDEs for every migrant child considered eligible in the State within the preceding year; the

remaining 28 States have met the requirement to varying degrees. Amortized over three years, the annualized burden of the requirement for the remaining 28 States is estimated to be 21,651 hours per year in total and 773 hours per year per SEA. Start-up Data Submission is a one-time requirement for each SEA. All subsequent data submission requirements are covered by the other information collection activities described below.

Activity	Frequency of Response	Number of Respondents	Average Hours per Respondent	Total Hours over 3 Years	Description
Data Collection	Once per SEA	28 SEAs	2,239	62,691	This estimate includes time to collect MSIX MDE information that has not already been collected for each student considered eligible by the SEA in the preceding year
Data Submission	Once per SEA	28 SEAs	81	2,261	This estimate includes time for SEAs to complete development and implementation of their MSIX interface to enable the exchange of all MSIX MDEs
Total over 3 Years			2,320	64,952	
Person Years (at 2,080 hours/year)			1.1	31	
Annualized Average			773	21,651	28 SEAs to complete interface work
Person Years (at 2,080 hours/year)			0.4	10	28 SEAs to complete interface work

**Newly Documented Migratory Children.** Amortized over three years, the annualized burden of the requirement for 50 States to collect and submit the MSIX MDEs within 10 days of documenting the eligibility of each new migratory child is estimated at 109,435 hours per year in total and 2,189 hours per SEA. Documenting the eligibility of migratory children is an ongoing process, and the burden remains at a constant level in each of the three years.

Activity	Frequency of Response	Number of Respondents	Average Hours per Respondent	Total Hours over 3 Years	Description
Data Collection	Within 10 days of documenting a child's eligibility	50 SEAs	6,566	328,304	This estimate includes time to collect MSIX MDE information for each newly documented migrant student and enter it into the State's MEP system
Data Submission	Within 10 days of documenting a child's eligibility	50 SEAs	-	-	It is estimated that there is no additional effort to electronically submit the collected MDEs to MSIX
Total over 3 Years			6,566	328,304	
Person Years (at 2,080 hours/year)			3.2	158	
Annualized Average			2,189	109,435	
Person Years (at 2,080 hours/year)			1.1	53	

**Newly Documented Migratory Children with Prior Secondary School Records in the Same State.** The annualized burden of the requirement for States to collect and submit to MSIX MDEs from the most recent secondary school attended previously within the State is estimated 26,664 hours per year in total and 533 hours per year for each SEA. Collecting and submitting secondary school information for newly documented migratory children is an ongoing process, and the burden remains at a constant level in each of the three years.

Activity	Frequency of Response	Number of Respondents	Average Hours per Respondent	Total Hours over 3 Years	Description
Data Collection	Within 10 days of documenting a child's eligibility	50 SEAs	1,600	79,992	This estimate includes time to collect Course History MDE information for the most recent secondary school attended previously in the state by migrant student and enter it into the State's MEP system
Data Submission	Within 10 days of documenting a child's eligibility	50 SEAs	-	-	It is estimated that there is no additional effort to electronically submit the collected MDEs to MSIX
Total over 3 Years			1,600	79,992	
Person Years (at 2,080 hours/year)			0.8	38	
Annualized Average			533	26,664	
Person Years (at 2,080 hours/year)			0.3	13	

**Newly Documented Migratory Children with Secondary School Records from Another State.** The annualized burden of the requirement for States to notify MSIX within 30 days of obtaining out-of-state secondary school records for a newly documented migratory child is estimated at 15,609 hours per year in total and 312 hours per year for each SEA. This burden estimate also includes a one-time effort for each State to modify its State data system and MSIX interface to collect and submit a new MDE to indicate whether or not out-of-state school records are present at an LEA for a migrant student. Documenting migratory children is an ongoing process, and the burden remains at a constant level in each of the three years.

Activity	Frequency of Response	Number of Respondents	Average Hours per Respondent	Total Hours over 3 Years	Description
Data Collection	Within 10 days of documenting a child's eligibility	50 SEAs	901	45,028	This estimate includes time to whether or not an LEA in the State has records from another State for a migrant student and enter indicate it in the State's MEP system
Data Submission	Once per SEA	50 SEAs	36	1,800	This estimate includes for each SEA to modify their State MEP system and MSIX interface to collect and submit a new MDE to indicate whether or not Out-of-State school records are present at an LEA for a migrant student.
Data Submission	Within 10 days of documenting a child's eligibility	50 SEAs	-	-	It is estimated that there is no additional effort to electronically submit the collected MDEs to MSIX
Total over 3 Years			937	46,828	
Person Years (at 2,080 hours/year)			0.5	23	
Annualized Average			312	15,609	
Person Years (at 2,080 hours/year)			0.2	8	

**End of Term Submissions.** The annualized burden of the requirement to collect and submit updated and newly available MDEs to MSIX within 30 days after the end of each educational term for all eligible MEP children is estimated at 291,278 hours per year in total and 5,826 hours per year per SEA. This is an ongoing process, and the burden remains at a constant level in each of the three years.

Activity	Frequency of Response	Number of Respondents	Average		Description
			Hours per Respondent	Total Hours over 3 Years	
Data Collection	Within 30 days of the end of a term	50 SEAs	17,477	873,834	This estimate includes time to collect newly available MDE information for each eligible migrant student in the State and enter it into the State's MEP system
Data Submission	Within 30 days of the end of a term	50 SEAs	-	-	It is estimated that there is no additional effort to electronically submit the collected MDEs to MSIX
Total over 3 Years			17,477	873,834	
Person Years (at 2,080 hours/year)			8.4	420	
Annualized Average			5,826	291,278	
Person Years (at 2,080 hours/year)			2.8	140	

**Notice of Change of Residence Submissions.** The annualized burden of the requirement to collect and submit to MSIX all new and updated MDEs within four days of receiving notification from MSIX that a migratory child has changed residence is estimated at 1,194 hours per year in total and 24 hours per year per SEA. This is an ongoing process, and the burden remains at a constant level in each of the three years.

Activity	Frequency of Response	Number of Respondents	Average		Description
			Hours per Respondent	Total Hours over 3 Years	
Data Collection	Within 4 days of receiving notification from MSIX that a migratory child has changed residence	50 SEAs	72	3,583	This estimate includes time to collect new MDE information that has become available for migrant student since the last submission to MSIX and enter it into the State's MEP system
Data Submission	Within 4 days of receiving notification from MSIX that a migratory child has changed residence	50 SEAs	-	-	It is estimated that there is no additional effort to electronically submit the collected MDEs to MSIX
Total over 3 Years			72	3,583	
Person Years (at 2,080 hours/year)			0.0	2	
Annualized Average			24	1,194	
Person Years (at 2,080 hours/year)			0.0	1	

**Parental Request to SEAs for MSIX Data Correction.** The annualized burden for SEAs to submit revised data to MSIX within four working days of the decision to correct previously submitted data following a request from a parent, guardian, or student is estimated at 31 hours per year in total and .06 hours per year per SEA. This is an ongoing process, and the burden remains at a constant level in each of the three years.

Activity	Frequency of Response	Number of Respondents	Average Hours per Respondent	Total Hours over 3 Years	Description
Data Collection	Within 4 days of determination to correct data submitted to MSIX	50 SEAs	1.9	94	This estimate includes effort to correct information previously entered in the State's MEP system
Data Submission	Within 4 days of determination to correct data submitted to MSIX	50 SEAs	-	-	It is estimated that there is no additional effort to electronically submit the corrected data to MSIX
Total over 3 Years			1.9	94	
Person Years (at 2,080 hours/year)			0.0	0	
Annualized Average			0.6	31	
Person Years (at 2,080 hours/year)			0.0	0	

**Parental Request to ED for MSIX Data Correction.** The annualized burden for SEAs to respond within ten working days to request from ED for information needed by ED to respond to an individual's request to correct or amend a Consolidated MSIX Record under the federal Privacy Act is estimated at four hours per year in total and 0.1 hour per year per SEA. This is an ongoing process, and the burden remains at a constant level in each of the three years.

Activity	Frequency of Response	Number of Respondents	Average Hours per Respondent	Total Hours over 3 Years	Description
Data Collection	Within 10 days of a request for information from the Department	50 SEAs	0.2	11	This estimate includes effort to respond to a request from the Department to correct or amend data previously entered in the State MEP system and submitted to MSIX
Data Submission	Within 10 days of a request for information from the Department	50 SEAs	-	-	It is estimated that there is no additional effort to electronically submit the corrected data to MSIX
Total over 3 Years			0.2	11	
Person Years (at 2,080 hours/year)			0.0	0	
Annualized Average			0.1	4	
Person Years (at 2,080 hours/year)			0.0	0	

Our calculations are based on 2,080 hours (or 260 days) per person year. Additional information about the basis of the burden estimates is available in a supplementary document, [Minimum Data Elements](#), which lists all 72 total MDEs and identifies the 41 that will require data collection and submission under this information collection.

### Estimates of Annualized Cost to SEA Respondents:

Amortized over three years, the estimated overall annualized cost nationally is \$15,382,888. The total average annualized cost per respondent for all reporting activities is \$318,892. The calculations use an average cost of \$33.02<sup>1</sup> an hour for all SEA respondents involved in information collection and submission. Using the break-down of hours presented above, the estimated costs in dollars are as follows:

By Reporting Activity	Annualized Burden for All Respondents	Annualized Cost Nationally @ \$33.02	Cost per SEA @ \$33.02
1 Start-up Data Submission	21,651	\$ 714,901	\$ 25,532
2 Newly Documented Migratory Children	109,435	\$ 3,613,529	\$ 72,271
3 Newly Documented Migratory Children (Secondary Students)	26,664	\$ 880,440	\$ 17,609
4 Newly Documented Migratory Children (Out of State Records)	15,609	\$ 515,420	\$ 10,308
5 End of Term Submission	291,278	\$ 9,618,004	\$ 192,360
6 Change of Residence Submission	1,194	\$ 39,438	\$ 789
7 MSIX Data Correction	31	\$ 1,032	\$ 21
8 Response to the Department	4	\$ 124	\$ 2
<b>Annualized Total for all SEAs</b>	<b>465,866</b>	<b>\$ 15,382,888</b>	<b>\$ 318,892</b>
Average per 1,000 Eligible Children (of 418,643 children)	1,113	\$ 36,744.64	

#### 1. Start-up Data Submission

	Nationally			Per SEA		
	Total Hours over 3 Years	Person Years	Cost @ \$33.02 per Hour	Total Hours over 3 Years	Person Years	Cost @ \$33.02 per Hour
Data Collection	62,691	30.1	\$ 2,070,044	2,239	1.1	\$ 73,930
Data Submission	2,261	1.1	\$ 74,658	81	0.0	\$ 2,666
Totals	64,952	31	\$ 2,144,702	2,320	1.1	\$ 76,596
<b>Annualized Avg.</b>	<b>21,651</b>	<b>10</b>	<b>\$ 714,901</b>	<b>773</b>	<b>0.4</b>	<b>\$ 25,532</b>

#### 2. Newly Documented Migratory Children

	Nationally			Per SEA		
	Total Hours over 3 Years	Person Years	Cost @ \$33.02 per Hour	Total Hours over 3 Years	Person Years	Cost @ \$33.02 per Hour
Data Collection	328,304	158	\$ 10,840,586	6,566	3.2	\$ 216,812
Data Submission	-	-	\$ -	-	-	\$ -
Totals	328,304	158	\$ 10,840,586	6,566	3.2	\$ 216,812
<b>Annualized Avg.</b>	<b>109,435</b>	<b>53</b>	<b>\$ 3,613,529</b>	<b>2,189</b>	<b>1.1</b>	<b>\$ 72,271</b>

<sup>1</sup> The mean hourly earnings value for State and Local Government management, professional, and related occupations of \$33.02 is based on U.S. Bureau of Labor Statistics National Compensation Survey: Occupational Earnings in the United States, 2010.

### 3. Newly Documented Migratory Children with Previous Secondary Records in Same State

	Nationally			Per SEA		
	Total Hours over 3 Years	Person Years	Cost @ \$33.02 per Hour	Total Hours over 3 Years	Person Years	Cost @ \$33.02 per Hour
Data Collection	79,992	38	\$ 2,641,320	1,600	0.8	\$ 52,826
Data Submission	-	-	\$ -	-	-	\$ -
Totals	79,992	38	\$ 2,641,320	1,600	0.8	\$ 52,826
<b>Annualized Avg.</b>	<b>26,664</b>	<b>13</b>	<b>\$ 880,440</b>	<b>533</b>	<b>0.3</b>	<b>\$ 17,609</b>

### 4. Newly Documented Migratory Children with Secondary Records from Another State

	Nationally			Per SEA		
	Total Hours over 3 Years	Person Years	Cost @ \$33.02 per Hour	Total Hours over 3 Years	Person Years	Cost @ \$33.02 per Hour
Data Collection	45,028	22	\$ 1,486,825	901	0.4	\$ 29,736
Data Submission	1,800	1	\$ 59,436	36	0.0	\$ 1,189
Totals	46,828	23	\$ 1,546,261	937	0.5	\$ 30,925
<b>Annualized Avg.</b>	<b>15,609</b>	<b>8</b>	<b>\$ 515,420</b>	<b>312</b>	<b>0.2</b>	<b>\$ 10,308</b>

### 5. End of Term Submissions

	Nationally			Per SEA		
	Total Hours over 3 Years	Person Years	Cost @ \$33.02 per Hour	Total Hours over 3 Years	Person Years	Cost @ \$33.02 per Hour
Data Collection	873,834	420	\$ 28,854,013	17,477	8.4	\$ 577,080
Data Submission	-	-	\$ -	-	-	\$ -
Totals	873,834	420	\$ 28,854,013	17,477	8.4	\$ 577,080
<b>Annualized Avg.</b>	<b>291,278</b>	<b>140</b>	<b>\$ 9,618,004</b>	<b>5,826</b>	<b>2.8</b>	<b>\$ 192,360</b>

### 6. Change of Residence Submission

	Nationally			Per SEA		
	Total Hours over 3 Years	Person Years	Cost @ \$33.02 per Hour	Total Hours over 3 Years	Person Years	Cost @ \$33.02 per Hour
Data Collection	3,583	2	\$ 118,315	72	0.0	\$ 2,366
Data Submission	-	-	\$ -	-	-	\$ -
Totals	3,583	2	\$ 118,315	72	0.0	\$ 2,366
<b>Annualized Avg.</b>	<b>1,194</b>	<b>1</b>	<b>\$ 39,438</b>	<b>24</b>	<b>0.0</b>	<b>\$ 789</b>

## 7. Parental Requests to SEAs for MSIX Data Correction

	Nationally			Per SEA		
	Total Hours over 3 Years	Person Years	Cost @ \$33.02 per Hour	Total Hours over 3 Years	Person Years	Cost @ \$33.02 per Hour
Data Collection	94	0	\$ 3,096	1.9	0.0	\$ 62
Data Submission	-	-	\$ -	-	-	\$ -
Totals	94	0	\$ 3,096	1.9	0.0	\$ 62
<b>Annualized Avg.</b>	<b>31</b>	<b>0</b>	<b>\$ 1,032</b>	<b>0.6</b>	<b>0.0</b>	<b>\$ 21</b>

## 8. Parent Requests to ED for MSIX Data Correction/Response to ED

	Nationally			Per SEA		
	Total Hours over 3 Years	Person Years	Cost @ \$33.02 per Hour	Total Hours over 3 Years	Person Years	Cost @ \$33.02 per Hour
Data Collection	11	0	\$ 371	0.2	0.0	\$ 7
Data Submission	-	-	\$ -	-	-	\$ -
Totals	11	0	\$ 371	0.2	0.0	\$ 7
<b>Annualized Avg.</b>	<b>4</b>	<b>0</b>	<b>\$ 124</b>	<b>0.1</b>	<b>0.0</b>	<b>\$ 2</b>

The costs to respondents are those shown above for staff time for data collection and submission. SEAs already collect many of the data elements, and most are already submitting many or all of the MDEs to MSIX. There should be no additional record-keeping costs beyond those covered under customary and usual business practices.

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.

A13. The only costs to respondents are those shown above for staff time for data collection and

submission activities. SEAs already collect many of the data elements, most are already submitting data to MSIX, and all have existing information systems in place. There should be no additional record-keeping costs beyond those covered under customary and usual business practices.

*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.*

A14. Estimated annualized Federal cost:

We estimate the annualized Federal Cost for the requirements of this information collection over the next three years to be \$2,868,947, calculated as follows:

		ED Staff Costs (Loaded with Benefits, 3% annual increase)			MSIX Contract Costs	Totals
ED Staff Time in Government FTEs						
<b>Historical Costs</b>						
FY 2006	2.20	\$	-	\$	7,980,831	\$ 7,980,831
FY 2007	2.20	\$	264,440	\$	3,129,097	\$ 3,393,537
FY 2008	2.20	\$	272,373	\$	3,262,624	\$ 3,534,997
FY 2009	2.20	\$	280,544	\$	3,034,085	\$ 3,314,630
FY 2010	2.20	\$	288,961	\$	3,161,144	\$ 3,450,105
FY 2011	2.20	\$	297,630	\$	3,632,746	\$ 3,930,376
FY 2012	2.20	\$	306,558	\$	2,660,856	\$ 2,967,415
Total		\$	1,710,506	\$	26,861,385	\$ 28,571,892
Annualized Total		\$	244,358	\$	3,837,341	\$ 4,081,699
<b>Next 3 Years</b>						
FY 2013	2.20	\$	315,755	\$	2,702,637	\$ 3,018,393
FY 2014	2.20	\$	325,228	\$	2,469,194	\$ 2,794,422
FY 2015	2.20	\$	334,985	\$	2,459,042	\$ 2,794,027
Total		\$	975,968	\$	7,630,874	\$ 8,606,842
<b>Annualized Total</b>		\$	<b>325,323</b>	\$	<b>2,543,625</b>	\$ <b>2,868,947</b>

The cost of the MSIX system includes development funded in Fiscal Year 2006 and implemented in Fiscal Year 2007. Funding in Fiscal Years 2007 through 2011 paid for acquisition and maintenance until the contract expired on September 29, 2011. A new contract for the continued operation and maintenance of MSIX was awarded on August 1, 2011 and expires on July 31, 2016.

The cost of Federal personnel time is estimated at \$120,200 per full-time person per year in Fiscal Year 2007. The Federal personnel cost is based on a GS-13 in an intermediate pay step who works in the Washington, DC area, and it is fully loaded with the cost of fringe benefits. The annual cost as been escalated at a rate of 3 percent per year as an adjustment for possible cost of living increases to Federal pay. Federal personnel cost is extended through Fiscal Year 2015. The average annualized Federal personnel cost for 2.2 Full Time Equivalents (FTEs) is \$325,323.

The MSIX contractor costs are based on a contract that has been awarded, including the costs of option years to continue operating the system. The average annualized contractor cost is \$2,543,625.

The overall \$2,868,947 annualized cost of MSIX for both Government FTE and contractor costs is the

average per-year cost, based on a total of \$8,606,842 which has been funded in Fiscal Years 2013 through 2015.

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

A15. For this collection, there is an overall increase in the burden from what was reported in the 2011 update for this collection. There are two factors that contribute to this burden increase. First, the previous burden applied to 48 respondents, because Connecticut and Rhode Island were not operating a MEP at the time. The Department since awarded a by-pass contract for the operation of MEPs in Connecticut and Rhode Island which brought the total number of respondents to 50. In July 2013, the by-pass contract ended. The data burden for the by-pass states is being included due to the fact that the SEAs associated with these states may decide to participate in the MEP in the future. The second factor that contributes to the increased burden is the change to the associated reporting activities. The prior version of this collection identified three reporting activities. To align with the proposed regulations, the previous three activities have been replaced with eight new reporting activities. The new reporting activities more clearly identify the collection activities and better align with MEP business practices and MSIX functionality.

*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.*

A16. The collection of information does not require publication of the information or use of complex analytical techniques. Summary information may be reported by the Secretary in tabular form to the States, Congress and the public.

*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.*

A17. Given that the information collection will be conducted by SEAs with data transmitted electronically, the proposed display of the expiration date of OMB approval for the data collection would be inappropriate because the collections are being done by SEAs rather than the Federal Government or through a Federal contractor.

*Q18. Explain each exception to the certification statement identified in Item 20, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.*

A18. There are no proposed exceptions to the certifications.

## **B. Collections of Information Employing Statistical Methods**

The data collection does not require that statistical methodology be employed.