REHABILITATION SERVICES ADMINISTRATION
ALTERNATIVE FINANCING PROGRAMS/TITLE III of the
ASSISTIVE TECHNOLOGY ACT OF 1998
Annual Progress Report for the Title III Alternative Financing Program under the Assistive Technology Act of 1998

REQUEST FOR OMB APPROVAL

SUPPORTING STATEMENT REQUIRED UNDER
THE PAPERWORK REDUCTION ACT

A. Justification

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

The Rehabilitation Services Administration (RSA) of the U.S. Department of Education (ED) requests clearance for the renewal of a data collection instrument, Office of Management and Budget (OMB) Control Number 1820-0662, to be completed by grantees under title III of the Assistive Technology Act of 1998 as in effect prior to the amendments of 2004 (Public Law 105-394) (AT Act of 1998).

Title III of the AT Act of 1998 authorized grants to public agencies to support the establishment and maintenance of alternative financing programs (AFPs) that feature one or more alternative financing mechanisms[1] to enable individuals with disabilities and their family members, guardians, advocates, and authorized representatives to purchase assistive technology (AT). AFPs must operate and provide progress reports in perpetuity.

Since 2000, grants have been awarded to 33 states to operate AFPs. The information collected through this data collection instrument is necessary for these grantees to comply with the reporting requirements of title III of the AT Act of 1998 and to satisfy 34 CFR 75.720, which requires them to submit an annual performance report.

In addition, section 307 of the AT Act of 1998 requires that RSA submit to Congress an annual report on the activities conducted under title III. In order to make these possible, states must provide annual progress reports to RSA that fulfill the section 307 reporting requirements. This data collection instrument has been developed to ensure that states report data in a consistent manner in alignment with these requirements.

[1] See Appendix A for a description of the alternative financing mechanisms.

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.

RSA will use the information collected via this instrument to:

1) Complete the annual report to Congress required by the AT Act of 1998;
2) Meet the Education Department Administrative Regulations (EDGAR) requirements; and
3) Comply with reporting requirements under the Government Performance and Results Act (GPRA) of 1993 (Public Law 103-62).

Data collected from the grantees will provide a national description of activities funded under title III of the AT Act of 1998 to increase the acquisition of AT devices and services through alternative financing mechanisms for individuals with disabilities. In addition, RSA will use this data to inform its program management, monitoring, and technical assistance efforts. States will be able to use the data for internal management and program improvement.

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.

A web-based data collection system is currently in place and the proposed renewal to the system will be implemented based upon the instrument submitted for review. The paper version of the instrument translates directly into a web-based format; throughout the document there are numerous references to how certain sections and items are used in the electronic system. Upon OMB approval of the paper version, the web-based application for use by the states will be implemented by staff through the RSA Management Information System (MIS). Once updated, the system will meet or exceed requirements for accessibility of Section 508 of the Rehabilitation Act of 1973, as amended (Rehabilitation Act), the Federal Information Security Management Act (FISMA), and other applicable statutes and regulations, and industry standards. This web-based system allows the title III AFPs to enter and submit their data electronically at their convenience on an ongoing basis. Where appropriate, the system automatically generates totals and does other automatic calculations, saving time and reducing the chance of mathematical errors.

RSA will have immediate access to the information submitted, allowing RSA to identify which grantees have submitted their data. This access will allow RSA to generate reports, even on partial data, as requested by Congress or others. States will have similar access to their data for management purposes.

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.

Data collected on state financing activities in OMB Control Number 1820-0572 is duplicative in some cases, because the state financing activities under section 4 of the AT Act of 1998, as amended in 2004 (Public Law 108-364) (AT Act of 2004) may include AFPs. However, this proposed renewal of OMB 1820-0662 aligns closely with the data collection system for section 4 of the AT Act of 2004, which is OMB 1820-0572. Many states have incorporated their existing title III AFP into their section 4 programs. However, a single data collection instrument cannot capture the entire universe of data, or entities that need to report that data, for both title III and section 4. The data collection requirements of section 4 and title III are similar but not the same,[2] therefore it is not possible to use one as a proxy for the other because:

- Title III AFPs are funded under a separate authority;
- Title III has its own data collection requirements that differ from those of section 4; and
- Not all states have both title III and section 4 grants, and both grants do not always go to the same agency when a state does have both.

Appendix B contains a side-by-side comparison of the similarities and differences between the portions of OMB 1820-0662 and OMB 1820-0572 that apply to alternative financing mechanisms.

Otherwise, the activities, and data collected about those activities, are unique to title III of the AT Act of 1998 and do not duplicate other data collection efforts.

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.

This information collection does not involve small businesses and will not have a significant impact on substantial numbers of small entities.

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.

If this information is not collected, neither RSA nor states can fulfill their reporting obligations under title III of the AT Act of 1998. Those obligations are annual, so the data collection cannot occur less frequently than annually.

[2] See Appendix B for a side-by-side comparison of the title III and section 4 requirements related to AFPs.

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.

The proposed data collection is consistent with guidelines set forth in 5 CFR 1320.5, and requires no special circumstances.

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.

A 60-day and 30-day notice was published in the Federal Register, with one public comment received, response is attached.

The National Information System for Assistive Technology (NISAT), the project responsible for AT Act data collection reporting at the time, established a workgroup comprised of representatives from AFPs of various types. NISAT was also responsible for the development of the instrument for data collection and reporting on state financing activities in OMB Number 1820-0572 through a cooperative agreement with RSA, as required under section 6(b)(5) of the AT Act of 2004. NISAT facilitated several teleconference meetings of the workgroup. During these meetings, AFPs provided suggestions for the general principles and features of a data collection system. RSA staff participated in all meetings. The current OMB 1820-0662 instrument takes the suggestions of the workgroup into account, as well as the lessons learned from the development of OMB 1820-0572.

The instrument submitted for review is a renewal of the current instrument. The RESNA Catalyst Project, the technical assistance grant funded under section 6 of the AT Act of 2004 conducted several workgroup conference calls throughout fiscal year 2013 to discuss potential updates or changes to the 1820-0662 IC with AFP representatives. AFPs, RESNA, and RSA agreed that the current instrument captures the data reporting requirements of the states funded under title III of the AT Act of 1998 for those AFPs that do not report state financing data in the 1820-0572 IC. However, the group recommended the use of the anecdotes section in the current instrument to provide additional information about the programs, such as leveraged funding or other relevant activities, to better describe the individual state stories of the AFPs.

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

No payments or gifts are provided to respondents.

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

Confidentiality for individual consumers receiving services from a title III AFP is assured, because the states will not report information that identifies individual consumers. States will provide anecdotes about the effect of their programs on individual consumers, but states are instructed to write anecdotes in a manner that ensures their anonymity. All other data provided is reported in the aggregate.

The web-based system to be developed will not allow public access to the reporting instrument for data entry, and states will have access to their data only, so they will not be able to see or manipulate data of other states. Individual reports will be kept confidential until they have been finalized by the state and accepted by RSA.

Once a report has been finalized by the state and accepted by RSA, access to the data will be available to the public via the Internet, though the public will be able to view and not alter the data. States will be advised that their data will be available to the public in this manner.

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.

No questions included in the data collection instrument are considered sensitive.

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

- Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.

- If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in item 16 of IC Data Part 1.

- Provide estimates of annualized cost to respondents of the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.

Up to thirty-three grantees will have the ability to report using the web-based data collection system. It is estimated the average amount of time required to complete all

responses is approximately 27 hours. This equals 891 total hours for the 33 AFPs. The estimated response burden includes time to review the instructions, gather existing data, and complete and review the data entry. This estimate is derived from knowing the burden of the previous version.

Assuming an average hourly cost of $30 per hour for staff members who complete the instrument, the cost burden for individual grantees is estimated to be $810, and the total cost for the 33 grantees is estimated to be $26,730. The average hourly cost of $30 represents the average, fully-loaded wage rate, i.e., includes pre-tax cash wages, fringe benefits and overhead support, for several different classes of labor ranging from clerical to managerial labor, and accounts for the amount of time different types of grantee personnel (i.e., clerical, technical, professional, and managerial) are expected to expend.

13. Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14.)

- The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and acquiring and maintaining record storage facilities.

- If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.

- Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

  Total Annualized Capital/Startup Cost : $ .00
  Total Annual Costs (O&M) : .00

Total Annualized Costs Requested : $ .00

There are no capital costs, equipment purchases, or purchased services needed to collect this data.

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.

RSA also employs one management and program analyst at the GS-14 level and one program specialist at the GS-13 level with the responsibility for the administration of grants funded under the AT Act, including this data collection. These employees are housed in the Service Programs Unit, which is overseen by a Unit Chief and Director. RSA staff dedicates a small percentage of their time to this data collection, creating an additional cost. RSA also employs an information technology specialist in the Program Support Staff Unit, who built the current AFP data collection system in the MIS and will update the system upon OMB approval of this instrument. The development and limited maintenance of this instrument in the MIS is an additional cost associated with the AFP data collection. The estimated annualized cost to the Federal government for RSA staff time is $20,400.

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

There are no program changes or adjustments in total annual burden hours. The proposed AFP IC package is a renewal and is consistent with the IC Data Part 1 Form. RSA met several times in FY 2013 with an AFP work group to discuss potential revisions to the current OMB-approved 1820-0662 and the consensus of the work group resulted in a decision to request a renewal of the IC without changes.

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.

Because states provided an assurance that the alternative financing program will continue on a permanent basis, there is no end date for the reporting requirements. States will remain on a set data collection reporting cycle, with the period beginning

October 1 and ending September 30 each year. The due date for grantees to submit data to RSA is December 31 of each year.

The aggregate, national data derived from this collection will be used to create an annual report to Congress that is due December 31 in the year following the data collection reporting cycle.

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.

RSA will display the expiration date for OMB approval of the information collection. See the Paperwork Burden Statement document.

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

There are no exceptions to the certification statement.