

**SUPPORTING STATEMENT FOR
PAPERWORK REDUCTION ACT SUBMISSION**

OMB No. 1810-0662-v.9

**MIGRANT EDUCATION PROGRAM (MEP)
FINAL REGULATIONS &
CERTIFICATE OF ELIGIBILITY (COE)**

§§ 200.83, 200.84, 200.88 and 200.89

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 (the Department) is requesting an extension to the currently approved information collection OMB No. 1810-0662. This collection of information is necessary to collect information under the Title I, Part C Migrant Education Program (MEP). The MEP is authorized under sections 1301-1309 of Part C of Title I of the Elementary and Secondary Education Act (ESEA), as amended. Regulations for the MEP are found at 34 CFR 200.81-200.89 (attached). This information collection covers regulations with information collection requirements (see below). These requirements pertain to information that State educational agencies (SEAs) must collect in order to properly administer the MEP. Most provisions do not require SEAs to submit the information collected to the Department, with the exception of the provisions under Section 200.89(b).

The particular regulations with information collection requirements are §§ 200.83, 200.84, 200.88, and 200.89 (b)-(d). No other currently approved MEP regulatory sections have information collection requirements.

Section 200.83 establishes minimum requirements a State Educational Agency (SEA) must meet for development of a comprehensive needs assessment and plan for service delivery as required under Section 1306(a) of the ESEA.

Section 200.84 establishes minimum requirements the SEA must meet to implement the program evaluation required under Section 1304(c)(2) of the ESEA.

Section 200.88 clarifies for the purposes of the MEP, only "supplemental" State or local funds that are used for programs that meet the intent and purposes of the MEP may be excluded in terms of determining compliance with the "comparability" and "supplement, not supplant" provisions of the statute (section 1120A(c) and section 1120A(b) of the ESEA, respectively).

Section 200.89(b) establishes the minimum requirements an SEA must meet to carry out re-interviews of a sample of migrant families. Re-interviews allow SEAs to examine and validate their statewide MEP eligibility determinations, to generate a defect rate for adjusting SEA migrant child counts, if necessary, and to ensure ongoing quality control in future eligibility determinations. This regulatory requirement is consistent with §§ 1303(e) and 1309(2) of ESEA.

Section 200.89(c) establishes minimum requirements an SEA must meet to document its eligibility determinations under the MEP (including the use of a standard Certificate of Eligibility (COE) form [attached]). This regulatory requirement is consistent with §§ 1303(e) and 1309(2) of the ESEA.

Section 200.89(d) establishes minimum requirements for a system of quality controls that an SEA must implement to ensure accurate eligibility determinations under the MEP. This regulatory requirement is consistent with §§1303 (e) and 1309(2) of the ESEA.

A copy of the existing regulations, the relevant statutory sections, and the COE are attached.

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 needs assessment and service delivery information required by § 200.83 are used by the SEA to design and implement an effective statewide MEP. The evaluation information required by § 200.84 is used by the SEA to assess the effectiveness of the statewide MEP and to promote improved service delivery. The advance written determination by an SEA required by § 200.88 (that a State or locally funded program meets the intents and purposes of part C of Title I) is used by the SEA to support the exclusion of "supplemental" State or local funds in determining compliance with the "comparability" and "supplement, not supplant" provisions of the statute.

The re-interview information required by § 200.89(b) is used by the SEA and the Secretary to estimate the accuracy of program eligibility determinations and to make needed improvements. The information is also used by the Secretary to make necessary adjustments to State MEP allocations; such information was used to adjust FY 2009 MEP allocations. The eligibility materials required by § 200.89(c) are used by SEAs to clearly document the basis for the determination of program eligibility of each migrant child identified by the SEA and for determining which children are eligible for MEP services. The information required by § 200.89(d) is used by the SEA to examine and document the implementation of its quality control system and to enable the SEA to determine and implement necessary improvements.

As noted in A1, this collection of information does not require SEAs to submit the information collected to the Department except for § 200.89(b). Instead, the information is for SEAs to use in documenting eligible migrant children and in designing, operating and evaluating their State MEP.

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 regulations themselves do not require nor preclude SEAs from using automated, electronic, mechanical, or other technological collection techniques to reduce burden. As noted earlier, most of the information to be collected by SEAs will not be further collected by the Department from the SEAs (with the exceptions of § 200.89(b)). SEAs electronically report as part of the Consolidated State Performance Report the results of the information collected under § 200.89(b)(2). The information collected under § 200.89(b)(1) would be collected, if necessary, via a report that SEAs would send electronically to the Department. Many SEAs will use information technology (e.g., an electronic COE) to collect and analyze data. Facsimile and computer systems will be used to transmit and store data.

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 eligibility documentation information, the re-interviewing information, the quality control process documentation, the needs assessment and service delivery information, the evaluation information, and the advance written determination supporting the exclusion of "supplemental" State or local funds in determining compliance with the "comparability" and "supplement, not supplant"

provisions of the statute required by this collection are unique to this program and the particular grantee. Other than state assessment data to be collected under the Title I assessment requirements for use in §§ 200.83 and 200.84, the information to be collected by the SEA under §§ 200.83, 200.84, and 200.88 and §§ 200.89(b), 200.89(c) and 200.89(d) are not in any other data collection, and are necessary for the SEA to design, implement, and improve its statewide MEP. These student-level data are not being collected under EDEN/EDFacts.

Q5. 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.

A5. Small businesses and entities 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. The Department would be unable to calculate State MEP allocations and to adjust allocations in cases where SEAs have identified high numbers of ineligible children. In addition, the Department would be unable to monitor adequately SEA implementation and operation of the MEP and use of Federal funds.

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. The regulations do not require the information collection to be conducted in a manner inconsistent with the requirements of 5 CFR 1320.5(d)(2).

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. A 60-and 30-day Federal Register Notice was published, receiving no public comments during the 60-day.

Relative to existing § 200.89(b): This final regulation was first published on July 29, 2008. In its May 2011 request for renewed approval of the information collection, the Department decreased the burden associated with 200.89(b)(1) because all States had an ED-accepted rate and no State was required to implement the retrospective re-interview process as a result of corrective action. The Secretary is further reducing the burden in 2014 because no States have been required to implement the retrospective re-interview process as a result of corrective action, and it is unlikely that as many as eight states will need to do so in the next three years.

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

A9. The regulations do not require 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. The specific MEP regulations discussed in this information collection package require no assurance of confidentiality. However, because the COE form required under § 200.89(c) is an “educational record”, State and local operating agencies are required to comply with the Family Educational Rights and Privacy Act (FERPA) of 1974. FERPA establishes when States and local operating agencies can and cannot disclose “educational records” without parental consent.

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 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.*
- *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.

As presented in greater detail below, we estimate that it will require 11,333 hours per State respondent and 2 hours per migrant parent to respond to the requirements of these regulations.

We estimate that it will require approximately 287 hours per State respondent, and 0.5 hours per migrant parent respondent (annually) to address the requirements of §200.89(b). We estimate that it will require approximately 8,823 hours per State and 1.5 hours per parent (overall) to address the requirements of §200.89(c). We estimate that it will require approximately 734.75 hours per State to address the requirements of §200.89(d).

We estimate that it will require approximately 1,044 hours per State (overall) to address the requirements of §200.83. We estimate that it will require approximately 440 hours per State (biennially) to address the requirements of §200.84. We estimate that it will require approximately 4 hours per State (on a one-time basis) to address the requirements of §200.88.

These estimates were developed by program staff with prior experience in the State-level administration of the MEP. [See the tabular summaries below for a fuller explanation of the calculations.]

Summary of Total Burden Hours (Annualized)

| By regulatory section/subsection | Total Burden Hours (Annualized) |
|---|--|
| 200.83 | 9,428 |
| 200.84 | 10,340 |
| 200.88 | 31 |
| 200.89 | 258,794 |
| TOTAL | 278,593 |

| 200.89(b) | Frequency of response | # of Respondents | Average # of Hours per respondent | Total Hours | Description |
|---|-----------------------|--|-----------------------------------|--------------|--|
| (1) Retrospective Re-interviewing | | | | | |
| Re-interviews (<i>record-keeping</i>) | One Time | 4 ¹ SEAs | 1,200 | 4,800 | Assuming an average sample of 300 children per State and an average time of 4 hours ² (including multiple attempts) to locate, travel to & re-interview each child's parent/guardian, including an average of ½ hour per family to conduct the re-interview per State |
| | | 300 parents ³ of migrant children per State = 1,200 parents | 0.5 | 600 | |
| Analysis & Reporting (<i>record-keeping and reporting</i>) | One Time | 4 SEAs | 380 | 1,520 | Assuming an average sample of 300 children and 1 hour per child to analyze eligibility findings and 80 hours to construct the report. |
| Subtotal (1) | One Time | 4 SEAs | 1,580 | 6,320 | |
| | | 1,200 parents | 0.5 | 600 | |
| | | | | 6,920 | |
| (2) Prospective Re-Interviewing | | | | | |
| Re-interviews (<i>record-keeping</i>) | Annually | 47 ⁴ SEAs | 100 | 4,700 | Assuming an average sample of 50 children per State and an average time of 2 hours ⁵ (including multiple attempts) to locate, travel to & re-interview each child's parent/guardian, including an average of ½ hour per family to conduct the re- |
| | | | | | |

¹ Because no SEAs have had to re-do the retrospective re-interview process and no SEAs have had to go through the process as a result of corrective action, it is unlikely that 8 states will need to do so in the next three years. As a result, this estimate has been reduced from 8 SEAs to four SEAs.

² We estimate 4 hours to locate/re-interview each child retrospectively since these re-interviews will be taking place up to four years after the initial eligibility determination was done.

³ Assumes only 1 parent/guardian per family needs be interviewed.

⁴ We estimate 47 SEAs since the SEAs for Rhode Island, Connecticut, West Virginia, the District of Columbia, and Puerto Rico no longer participate in the MEP.

⁵ We estimate 2 hours to locate/re-interview each child prospectively since these re-interviews will take place soon after the initial eligibility determination was done in any program year.

| | | | | | |
|--|-----------------|---|---------------------|---------------|---|
| | | 50 parents of migrant children per State (47) = 2,350 parents | 0.50 | 1,175 | interview per State. |
| Analysis (record-keeping) | Annually | 47 SEAs | 50 | 2,350 | Assuming an average sample of 50 children per State and 1 hour per child to analyze eligibility findings. |
| Report as part of Consolidated State Performance Report ⁶ (reporting) | Annually | 47 SEAs | 2 | 94 | Assuming it will take no more than 2 hours per State to summarize the new findings for the report. |
| Subtotal (2) | Annually | 47 SEAs | 152 | 7,144 | |
| | | 2,350 parents | 0.5 | 1,175 | |
| | | | | 8,319 | |
| TOTAL for §200.89(b) | | 47 SEAs | 286.47 ⁷ | 13,464 | |
| | | 3,550 ⁸ parents | 0.5 | 1,775 | |
| | | | | 15,239 | |

⁶ The Consolidated State Performance Report has already been cleared through 07/31/15 under OMB No. 1810-0614.

⁷ Estimated hours per SEA across all 47 SEAs – where all 47 SEAs will do the §200.89(b)(2) prospective re-interviewing annually (7,144 hours for all 47 SEAs), but only 4 SEAs will also do the §200.89(b)(1) retrospective re-interviewing once over the next 3 year period (6,320 for all 4 SEAs). Total number of hours (7,144 + 6,320) is 13,464. Across all 47 SEAs total is 286.47 hours per SEA.

⁸ Total of 1,200 under §200.89(b)(1) + 2,350 under §200.89(b)(2) = 3,550 parents.

| 200.89(c) | Frequency of response | # of Respondents | Average # of Hours per respondent | Total Hours | Description |
|--|--|-----------------------------|--|--------------------|---|
| Eligibility Documentation | | | | | |
| Conduct the interview (<i>record-keeping</i>) | Once per 3-years of eligibility | 47 SEAs | 4,812.77 | 226,200 | Assuming approximately 377,000 children in the 47 SEA operated States and 2.5 children per family (and per COE) and 1.5 hours to initially locate, travel to and conduct a ½ hour interview with each family. |
| | | 150,800parents ⁹ | 0.5 | 75,400 | |
| Write up the COE & other SEA-required eligibility documentation (<i>record-keeping</i>) | Once per 3-years of eligibility | 47 SEAS | 802.13 | 37,700 | Assuming 15 minutes per COE. One COE is done for every family (each with an average of 2.5 children). |
| Update/Revise COE as necessary ¹⁰ (<i>record-keeping</i>) | Twice within 3-year eligibility period | 47 SEAs | 3,208.51 | 150,800 | Assuming an average of ½ hour per COE per year for each of two of three years. |
| | | 150,800 parents | 1.0 | 150,800 | |
| TOTAL for §200.89(c) | | 47 SEAs | 8,823.41 | 414,700 | |
| | | 150,800 parents | 1.5 | 226,200 | |
| | | | | 640,905 | |

| 200.89(d) | Frequency of | # of Respondents | Average # of Hours | Total Hours | Description |
|------------------|---------------------|-------------------------|---------------------------|--------------------|--------------------|
|------------------|---------------------|-------------------------|---------------------------|--------------------|--------------------|

⁹ Assumes 1 parent per family needs to be interviewed.

¹⁰ This would include the survey data required to document the temporary nature of employment under §200.89(a)(i).

| | response | | per respondent | | |
|---|----------|---------|----------------|------------------|---|
| Quality Control Procedures | | | | | |
| (4) SEA/LEA COE reviews <i>(record-keeping)</i> | Annually | 47 SEAs | 534.75 | 25,133.33 | Assuming 150,800 COEs (new or updated) and 10 minutes per COE for review. |
| (6) Documenta- tion of quality control processes and improvement <i>(record-keeping)</i> | Annually | 47 SEAs | 200 | 9,400 | Assumes 200 hours of person time per year to prepare needed documentation |
| TOTAL for §200.89(d) | | 47 SEAs | 734.75 | 34,533.33 | |

| § 200.83 | Frequency of response | # of Respondents | Average # of Hours per respondent | Total Hours | Description |
|---|-----------------------|------------------|-----------------------------------|-------------|--|
| Needs Assessment | | | | | |
| Data Collection <i>(record-keeping)</i> | One Time | 47 SEAs | 643.50 | 30,244.50 | This estimate includes the time required to design and collect information through surveys of samples of parents, staff and LEAs with migrant students regarding migrant students' needs and the whether other programs' services are already available. |
| Analysis & Reporting <i>(record-keeping)</i> | One Time | 47 SEAs | 160 | 7,520 | This estimate includes the time for SEA staff to analyze the collected needs assessment data and summarize the results. |
| Plan Development¹¹ <i>(record-keeping)</i> | One Time | 47 SEAs | 160 | 7,520 | This estimate consists of the time needed for SEA staff to draft, revise and clear a comprehensive service delivery plan that responds to the identified needs of students and coordinates services |

¹¹

| | | | | | |
|---|----------|---------|---------|-----------------|--|
| | | | | | across the MEP and other available services. |
| Plan Update <i>(record-keeping)</i> | Biennial | 47 SEAs | 80 | 3,760 | This estimate consists of the time needed for SEA staff to update the comprehensive service delivery plan in response to the results of program evaluations. |
| Total for §200.83 | | 47 SEAs | 1,043.5 | 49,044.5 | |

| § 200.84 Activities | Frequency of response | # of Respondents | # of Hours per respondent | Total Hours | Description |
|---|------------------------------|-------------------------|----------------------------------|--------------------|--|
| Evaluation | | | | | |
| Data Collection <i>(record-keeping)</i> | Biennial | 47 SEAs | 120 | 5,640 | This estimate consists of the time to collect project observation data in a 30 percent sample of MEP project sites nationally. (The estimate does not include the time associated with collecting student-level assessment data since student assessment data is exempt from the paperwork clearance process.) |
| Analysis & Reporting <i>(record-keeping)</i> | Biennial | 47 SEAs | 320 | 15,040 | This estimate consists of the time needed for SEA staff to analyze and summarize the project and student data to determine the effectiveness of the State's MEP program. |
| Total for §200.84 | | 47 | 440 | 20,680 | Biennially |

| § 200.88 Activities | Frequency of response | # of Respondents | # of Hours per respondent | Total Hours | Description |
|--|------------------------------|-------------------------|----------------------------------|--------------------|---|
| Written determination <i>(record-keeping)</i> | Once | 47 SEAs | 4 | 188 | This estimate consists of the time needed for SEA staff to analyze and prepare a written determination in support of exclusion. |
| Totals for § 200.88 | | 47 | 4 | 188 | One-time |

Estimates of annualized burden:

- Amortized over the next three years, **the annual burden to address the § 200.89(b)(1) requirements** would be 6,920 hours /3 years = **2,307 hours/year**. **The annual burden to**

address the § 200.89(b)(2) requirements would be 8,319 hours/year. Therefore the total annual burden to address the § 200.89(b) requirements would be: $2,307 + 8,319 = 10,626$ hours/year.

- Amortized over the 3-year eligibility cycle, the annual burden to address the § 200.89(c) requirements would be $640,905/3$ years = 213,635 hours/year.
- The annual burden to address the § 200.89(d) requirements would be 34,533 hours/year.

Therefore, the annual burden to address the § 200.89 requirements = $10,626 + 213,635 + 34,533 = 258,794$ hours/year.

- Amortized over the six-year ESEA authorization, the annual SEA burden to address the § 200.83 "Needs Assessment" and initial "Plan Development" requirements would be: $(30,245 + 7,520 + 7,520)$ hours / 6 years = 7,548 hours/year. Amortized over a biennial period, the total annual SEA burden to address the full § 200.83 "Plan Update" requirements would be: 3,760 hours / 2 years = 1,880 hours/year. Therefore the total annual burden to address the § 200.83 requirements would be: $7,548 + 1,880 = 9,428$ hours/year.
- Amortized over a biennial period, the total annual burden to address the § 200.84 requirements would be: $20,680$ hours / 2 years = 10,340 hours/year.
- Amortized over the six-year ESEA authorization, the total annual burden to address the § 200.88 requirements would be: 188 hours / 6 years = 31 hours/year.

Estimates of annualized cost to respondents:

SEA Respondents

Estimating respondent cost at an average of \$10/hour for SEA staff carrying out interviews in §§200.89(b) and 200.89(c) and \$25/ hour for other SEA staff carrying out analysis and reporting and §§200.89(d), 200.83, 200.84 and 200.88, the average cost per State would be:

- $(\$10/\text{hour} \times 1,200 \text{ hours}) + (\$25/\text{hour} \times 380 \text{ hours}) = \$12,000 + \$9,500 = \$21,500$ per State to address § 200.89(b)(1) on a one-time basis, and $\$21,500/3 = \$7,167$ annually per State amortized over the next 3 years. $(\$10/\text{hour} \times 100 \text{ hours}) + (\$25/\text{hour} \times 52 \text{ hours}) = \$1,000 + \$1,300 = \$2,300$ per State to address § 200.89(b)(2) annually. Therefore, the annual cost per SEA to address the § 200.89(b) requirements would be $(\$7,167 + \$2,300) = \$9,467/\text{year}$ for 4 States and \$2,300 for 43 States. Averaged across all 47 States, the annual cost per SEA would be $[(\$9,467 \times 4) + (\$2,300 \times 43)]/47 = \$2,910/\text{year}$.
- $[\$10/\text{hour} \times (4,813 + 802)/3 = \$18,717] + [\$10/\text{hr.} \times (3209/2) = \$16,045]$ Amortized over the 3 year eligibility cycle, the annual cost per SEA to address the § 200.89(c) requirements would be \$34,762/year.
- The annual cost per SEA to address the § 200.89(d) requirements would be $\{\$25/\text{hour} \times 734.75 \text{ hours}\} = \$18,369/\text{year}$.
- With a total annual burden of 9,428 hours/year for all 47 SEAs, the annual cost per SEA to address the full § 200.83 requirements would be: $(\$25/\text{hour} \times 9,428 \text{ hours}) / 47 \text{ SEAs} = \$5,015/\text{year}$.
- $\$25/\text{hour} \times 440 \text{ hours} = \$11,000$ per State to address the § 200.84 requirements (biennially). Amortized over a biennial period, the annual cost per SEA to address the § 200.84

requirements would be: $\$11,000 / 2 \text{ years} = \$5,500/\text{year}$.

- $\$25/\text{hour} \times 4 \text{ hours} = \100.00 per State to address the § 200.88 requirements (on a one-time basis). Amortized over the six year ESEA authorization, **the annual cost per SEA to address the § 200.88 requirements** would be: $\$100.00 / 6 \text{ years} = \$17/\text{year}$.

Annual Total Costs

Annual total cost estimates do not include costs to the Federal government.

- **The annual total cost to address the § 200.89(b) requirements would be:** $\$7,167/\text{SEA} \times 4 \text{ SEAs} + \$2,300/\text{SEA} \times 47 \text{ SEAs} = \$136,768$.
- **The annual total cost to address the § 200.89(c) requirements would be:** $\$34,762/\text{SEA} \times 47 \text{ SEAs} = \$1,633,814$.
- **The annual total cost to address the § 200.89(d) requirements would be** $\$18,369/\text{SEA} \times 47 \text{ SEAs} = \$863,343$.
- **The annual total cost to address the full § 200.83 requirements** would be: $(\$5,015/\text{SEA} \times 47 \text{ SEAs}) = \$235,705/\text{year}$.
- **The annual total cost to address the § 200.84 requirements** would be: $(\$5,500/\text{SEA} \times 47 \text{ SEAs}) = \$258,500/\text{year}$.
- **The annual total cost to address the § 200.88 requirements** would be: $\$17/\text{SEAs} \times 47 \text{ SEAs} = \$799/\text{year}$.

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 reporting. There should be no 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:

Federal costs associated with this collection of information consist of staff time to monitor SEAs.

Estimated Annualized Federal Cost of Department Monitoring

In regard to staff time for monitoring SEAs, Department staff could be expected to spend four hours reviewing an SEA’s retrospective re-interviewing documentation (§ 200.89(b)(1)); two hours reviewing an SEA’s prospective re-interviewing documentation (§ 200.89(b)(2)); five hours reviewing an SEA’s COEs (§200.89(c)); two hours reviewing an SEA’s Quality Control system and documentation (§ 200.89(d)); two hours reviewing an SEA’s needs assessment and service delivery plan (§ 200.83); two hours reviewing a SEA's program evaluation (§ 200.84); and one-half hour reviewing SEA's written determinations supporting the exclusion of State or local funds from "comparability" and "supplement, not supplant" provisions of the statute in preparation for program monitoring (§ 200.88).

| § 200.89(b) Activities | | | | | | |
|--------------------------------------|--------------------|--------------------------|---|-----------------------------|--------------------|-----------------------------|
| Re-interviewing documentation | Review Time | Total Review Time | Wage Rate for Personnel¹² | Total Personnel Cost | Other Costs | Total Cost of Review |
| 16 SEAs ¹³ | 6 hours | 96 hours | \$47 | \$4,512 | 0.00 | \$4,512 |

| § 200.89(c) Activities | | | | | | |
|----------------------------------|--------------------|--------------------------|--------------------------------|-----------------------------|--------------------|-----------------------------|
| Eligibility documentation | Review Time | Total Review Time | Wage Rate for Personnel | Total Personnel Cost | Other Costs | Total Cost of Review |
| 16 SEAs | 5 hours | 80 hours | \$47 | \$3,760 | 0.00 | \$3,760 |

| § 200.89(d) Activities | | | | | | |
|--------------------------------------|--------------------|--------------------------|--------------------------------|-----------------------------|--------------------|-----------------------------|
| Quality Control Documentation | Review Time | Total Review Time | Wage Rate for Personnel | Total Personnel Cost | Other Costs | Total Cost of Review |
| 16 SEAs | 2 hours | 32 hours | \$47 | \$1,504 | 0.00 | \$1,504 |

| § 200.83 Activities | | | | | | |
|---|--------------------|--------------------------|--------------------------------|-----------------------------|--------------------|-----------------------------|
| Number of Needs Assessments & Service Delivery Plans | Review Time | Total Review Time | Wage Rate for Personnel | Total Personnel Cost | Other Costs | Total Cost of Review |
| 16 SEAs | 2 hours | 32 hours | \$47 | \$1,504 | 0.00 | \$1,504 |

| § 200.84 Activities | | | | | | |
|--------------------------------------|--------------------|--------------------------|--------------------------------|-----------------------------|--------------------|-----------------------------|
| Number of Program Evaluations | Review Time | Total Review Time | Wage Rate for Personnel | Total Personnel Cost | Other Costs | Total Cost of Review |
| 16 | 2 hours | 32 | \$47 | \$1,504 | 0.00 | \$1,504 |

¹² 2014 Pay rate for a GS-12/10

¹³ 16 SEAs reflects an annualized figure – over the 3-year eligibility cycle -- of the 47 SEAs to be reviewed

| § 200.88 Activities | | | | | | |
|-------------------------------------|--------------------|--------------------------|--------------------------------|-----------------------------|--------------------|-----------------------------|
| Number of Program Exclusions | Review Time | Total Review Time | Wage Rate for Personnel | Total Personnel Cost | Other Costs | Total Cost of Review |
| 16 SEAs | .5 hours | 8 hours | \$47 | \$376 | 0.00 | \$376 |

The total annual cost to the Federal Government for Department monitoring of SEAs is \$13,160.

Q15. Explain the reasons for any program changes or adjustments reported.

A15. There is an adjustment in the total number of responses and burden. The number of responses decreased from 230,048 to 150,847 a difference of -79,201 responses. The number of burden hours decreased from 408,633 hours to 278,593 a difference of -130,040 hours. The reduction in SEA burden and responses was achieved not as a result of deliberate Federal government action, but rather due to decreases in the number of eligible migratory children and decreases in the number of SEAs that the Department expects will be required to implement retrospective re-interviewing, as described in § 200.89(b)(1).

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 (except for § 200.89(b)) or use of complex analytical techniques. The defect rates reported under § 200.89(b)(1) will be reported by the Secretary in tabular form to the States, Congress and the public.

The retrospective re-interviewing process required under § 200.89(b)(1), which has already been done by SEAs, had to be implemented once during the current period of authorization of ESEA. The prospective re-interviewing process under § 200.80(b)(2) must be implemented annually. Identification of eligible migrant children and documentation of eligibility status under § 200.89(c) is an activity carried out on an ongoing basis. SEAs must implement the quality control processes required under § 200.89(d) throughout the period of authorization of ESEA.

The needs assessment and service delivery plan under § 200.83 needs to be implemented at least once during the current period of authorization for ESEA as amended. The program evaluation under § 200.84 needs to be implemented biennially during the current period of authorization for ESEA as amended. The SEA's advance written determination that a State or locally funded program meets the intents and purposes of part C of Title I under § 200.88 needs to be implemented at least once during the current period of authorization for ESEA as amended. .

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. ED is not seeking this approval.

Q18. Explain each exception to the certification statement identified in Item 20, "Certification for Paperwork Reduction Act Submissions."

A18. Exception (i) in Item 20 – Statistical survey methodology does not apply. There are no other proposed exceptions to the certifications except that the Paperwork statement will not be included on the COE.