

## SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT SUBMISSION

### A. Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a hard copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information, or you may provide a valid URL link or paste the applicable section<sup>1</sup>. Specify the review type of the collection (new, revision, extension, reinstatement with change, reinstatement without change). If revised, briefly specify the changes. If a rulemaking is involved, make note of the sections or changed sections, if applicable.

The Department of Education (the Department) amends the Student Assistance General Provisions regulations issued under the Higher Education Act of 1965, as amended (HEA), to implement the changes made by the Violence Against Women Reauthorization Act of 2013 (VAWA) (Pub. L. 113-4), which, among other provisions, amended section 485(f) of the HEA, otherwise known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). These final regulations are a result of negotiated rulemaking and would update and clarify the current regulations.

This is a revision to the current collection due to changed regulatory action that requires additional collection and reporting by the institutions. Burden that is impacted is in §668.46 (b), §668.46(c) §668.46(j), and §668.46(k). The Department is requesting continued approval of the current collection along with consideration of the following revisions.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

The Clery Act requires institutions of higher education to comply with certain campus safety- and security-related requirements as a condition of their participation in the title IV, HEA programs. Notably, VAWA amended the Clery Act to require institutions to compile statistics for incidents of dating violence, domestic violence, sexual assault, and stalking and to include certain policies, procedures, and programs pertaining to these incidents in their annual security reports.

The Department amends 34 CFR §668.46 in order to implement these statutory changes. And we update this section by incorporating provisions added to the Clery Act by the Higher Education Opportunity Act of 2008, deleting outdated deadlines and cross-references, and making other changes to improve the readability and clarity of the regulations.

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<sup>1</sup> Please limit pasted text to no longer than 3 paragraphs.

The information that is collected and reported to the Department using the Annual Security Report is posted to the Department's web page at [The Campus Safety and Security Data Analysis Cutting Tool](#) which allows interested parties access to data regarding one or more institutions or data that has been aggregated. Additionally, the data is required to be made available on institutional web pages for disclosures to prospective and current students and prospective and current employees regarding the information. This allows interested parties to be aware of issues related to campus security at a given institution.

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.

On an annual basis institutions electronically report their campus crime statistics via the Department's Campus Safety and Security Survey website. Institutions use a combination of their own systems and websites to disclose information to current and prospective students and current and new employees. The use of this method of transmission allows for accuracy in the reporting of the information to the Department by institutions, minimizing transcription error by multiple parties.

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.

The current requirements avoid duplication. There is no other system available that can be used or modified for this purpose.

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

No small businesses are affected by this information collection.

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.

Absent this data, current and prospective students, and current and prospective employees would not have sufficient information about the institution's crime statistics to make

informed decisions about whether to begin or continue their education or employment at a given institution.

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 collection of this information will continue to be conducted in a manner that is consistent with the guidelines in 5 CFR 1320.5(d)(2).

8. As applicable, state that the Department has published the 60 and 30 Federal Register notices as required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instruction and record keeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years – even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

The regulations were developed through the Negotiated Rulemaking process where the public provided its input and in consultation with institutions, victims, advocacy groups, campus police and security personnel, and other affected entities. The comment period

for the information collection package ran concurrently with the Notice of Proposed Rulemaking. The attached table includes comments regarding the estimated burden that were received in the public comment period.

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

No payments or gifts will be provided to the respondents.

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

Privacy protected information would not be included in the report by the institution to the Department. Institutions would report via the Department's crime statistics reporting web-based tool.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. The justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

The Department is not requesting any sensitive data.

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

- Indicate the number of respondents by affected public type (federal government, individuals or households, private sector – businesses or other for-profit, private sector – not-for-profit institutions, farms, state, local or tribal governments), frequency of response, annual hour burden, and an explanation of how the burden was estimated, including identification of burden type: recordkeeping, reporting or third party disclosure. All narrative should be included in item 12. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential

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

respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.

- If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in the ROCIS IC Burden Analysis Table. (The table should at minimum include Respondent types, IC activity, Respondent and Responses, Hours/Response, and Total Hours)
- Provide estimates of annualized cost to respondents of the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.

As stated in Item 1, the Department is identifying regulatory sections that are impacted under §668.46 (b), §668.46(c) §668.46(j), and §668.46(k). Sections 668.46(b) and (c) are existing sections with associated burden currently identified in OMB information collection 1845-0022. Sections 668.46(j) and (k) are new regulations with new burden which will be associated with OMB information collection 1845-0022.

Based on data compiled in the 2012 Campus Safety and Security Survey, there are 7,230 institutions reporting to the system. This figure includes 2,011 Public, 1,845 Private Not-for-Profit, and 3,365 Private For-Profit institutions. This data was collected from August to October 2013 and represents the most current information available. These are the figures used in the following calculations.

34 CFR §668.46 Institutional security policies and crimes statistics.

Under §668.46(b) *Annual security report*, we have revised and expanded existing language and added new requirements for items to be reported annually. We revised §668.46(b)(4)(i) to require institutions to address in their statements of current policies the jurisdiction of security personnel for the investigation of alleged criminal offenses, as well as any agreements, such as written memoranda of understanding between the institution and those police agencies. This change incorporates modifications made to the HEA by the HEOA and responds to requests the Department has received regarding the memorandum of understanding between campus security personnel and State and local law enforcement.

We expanded §668.46(b)(4)(iii) to include, in the statement of policy, the requirement that the institution encourage accurate and prompt reporting of all crimes to the campus police and the appropriate police agency when a victim of a crime elects to or is unable to make such a report. This change incorporates modifications made to the HEA by the VAWA, ensures complete reporting of crime statistics in the institution's annual security report and provides for a safer campus community whether a crime is reported by the victim or a third-party.

We revised and restructured §668.46(b)(11). Specifically, we require institutions to include in their annual security report a statement of policy regarding the institution's programs to prevent dating violence, domestic violence, sexual assault, and stalking as well as the procedures that the institutions would follow when one of these crimes is reported. These newly defined crimes replace the previous "sex offense" throughout this subsection. This change incorporates modifications made to the HEA by VAWA.

In §668.46(b)(11)(ii), we require that institutions must provide written information to the victim of dating violence, domestic violence, sexual assault, and stalking. This includes information regarding: the preservation of evidence to assist in proving the alleged criminal offense or obtaining a protective order; how and to whom an alleged offense is to be reported; options for the involvement of law enforcement and campus authorities; and where applicable the victim's rights or institution's responsibilities for orders of protection. This change incorporates modifications made to the HEA by VAWA as well as changes discussed during the negotiations.

In §668.46(b)(11)(iii), we added a section to specify that institutions must address in their annual security report how they will complete publicly available recordkeeping for the purposes of Clery Act reporting while not including identifying information about the victim and while maintaining the confidentiality of any accommodations or protective measures given to the victim, to the extent that such exclusions would not impair the ability of the institution to provide such accommodations or protective measures. This change incorporates modifications made to the HEA by VAWA as well as discussions during negotiations.

We revised §668.46(b)(11)(iv) to require institutions to specify in their annual security reports that they will provide a written notification of an expanded list of services to students and employees if the services are available. These services include existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration services for the victim, and other services that may be available at the institution and in the community. This change incorporates modifications made to the HEA by VAWA as well as discussions during negotiations.

We revised current §668.46(b)(11)(v) to require institutions to specify in their annual security report that written notification would be provided to victims of dating violence, domestic violence, sexual assault, and stalking regarding their options for, and the availability of, changes to academic, living, transportation, and working situations. These options will have to be afforded any victim, regardless of whether the victim reports the crime to campus policy or law enforcement. This change incorporates modifications made to the HEA by VAWA, as well as discussions during negotiations.

We added a new §668.46(b)(11)(vi) to require institutions to specify in their annual security reports that when a student or employee of the institution reports to the institution that a person is a victim of dating violence, domestic violence, sexual assault, or stalking that victim will be provided a written explanation of their rights and options

under this subsection, whether the offense occurred on campus or off campus. This change incorporates modifications made to the HEA by VAWA.

*Burden Calculation:* On average, we estimate that the changes in §668.46(b)(11) will take each institution 2.5 hours of additional burden. As a result, reporting burden at public institutions will increase by 5,028 hours (2,011 public institutions time 2.5 hours per institution). Reporting burden at private non-profit institutions will increase by 4,635 hours (1,854 private non-profit institutions times 2.5 hours per institution). Reporting burden at private for-profit institutions will increase by 8,413 hours (3,365 private for-profit institutions times 2.5 hours per institution).

Collectively, burden in §668.46(b) will increase by 18,076 hours under OMB Control Number 1845-0022.

Under §668.46(c), *Crime statistics*, we revised and expanded existing language and added new reporting requirements for items to be reported in the annual survey.

The revisions to §668.46(c)(1) would add the VAWA crimes of dating violence, domestic violence, and stalking to the crimes for which an institution must collect and disclose statistics as part of their annual crime statistics reporting process. The Department is modifying its approach for the reporting and disclosing of sex offenses to reflect updates to the FBI's (Uniform Crime Reporting) UCR Program and to improve the clarity of §668.46(c)(1). The Department is restructuring the paragraph to consolidate all the reportable Clery Act crimes and to specify the categories of crimes. While institutions will continue to be required to report statistics for the three most recent calendar years, the reporting requirements have been expanded because of the addition of new crimes added by VAWA.

We revised §668.46(c)(4)(iii) and §668.46(c)(vii) to include gender identity and national origin as two new categories of bias that serve as the basis for a determination of a hate crime. The institution will have to identify the category of bias that motivated the crime.

Under final §668.46(c)(6), we added stalking as a reportable crime. The Department defined "stalking" in the regulations.

These changes incorporate longstanding sub-regulatory guidance, implement the changes VAWA made to the HEA, and improve the overall clarity of this paragraph. We believe that additional burden will be added because there are additional crimes, categories of crimes, differentiation of hate crimes, and expansions of the categories of bias that must be reported.

*Burden Calculation:* On average, we estimate that the changes to the reporting of crime statistics would take each institution 1.50 hours of additional burden. As a result, reporting burden at public institutions will increase by 3,017 hours (2,011 reporting public institutions times 1.50 hours per institution). Reporting burden at private non-profit institutions will increase by 2,781 hours (1,854 private non-profit institutions times

1.50 hours). Reporting burden at private for-profit institutions will increase by 5,048 hours (3,365 private for-profit institutions times 1.50 hours per institution).

Collectively, burden in §668.46(c) will increase by 10,846 hours under OMB Control Number 1845-0022.

Under §668.46(j), *Programs to prevent dating violence, domestic violence, sexual assault, and stalking*, we are identifying particular elements required in the description of the institution's programs and ongoing campaigns about prevention and awareness that must be included in the institution's annual security report.

§668.46(j)(1)(i) will require that the institution's statement will have to contain certain elements in the description of the primary prevention and awareness programs for incoming students and new employees including the institution's prohibition of dating violence, domestic violence, sexual assault, or stalking, definitions of those crimes and a definition of "consent" according to the applicable jurisdiction, a description of safe and positive options for bystander intervention, information on risk reduction, and other elements of paragraphs 668.46(b)(11)(ii)–(vii) and (k)(2). This is being done to incorporate changes made to the HEA by VAWA.

And §668.46(j)(1)(ii) will require that the institution's statement must contain certain elements in the description of the ongoing prevention and awareness campaigns for students and employees, including the institution's prohibition of dating violence, domestic violence, sexual assault, or stalking; definitions of those crimes; a definition of consent according to the applicable jurisdiction, a description of safe and positive options for bystander intervention; information on risk reduction; and other elements of paragraphs 668.46(b)(11)(ii)–(vii) and (k)(2). This is done to incorporate changes made to the HEA by VAWA.

*Burden Calculation:* On average, we estimate that the changes to the institution's statements of policy and description of programs and ongoing campaigns will take each institution four hours of additional burden. As a result, reporting burden at public institutions will increase by 8,044 hours (2,011 reporting public institutions times 4 hours per institution). Reporting burden at private non-profit institutions will increase by 7,416 hours (1,854 private non-profit institutions times 4 hours). Reporting burden at private for-profit institutions will increase by 13,460 hours (3,365 private for-profit institutions times 4 hours per institution).

Collectively, burden in §668.46(j) will increase by 28,920 hours under OMB Control Number 1845-0022.

Under §668.46(k), *Procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking*, we will implement the statutory changes requiring an institution that participates in any title IV, HEA program, other than a foreign institution, to include a statement of policy in its annual security



report addressing the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking.

§668.46(k)(1) will require various additions to the institution's statement of policy that must be included in the annual security report. While a statement of policy is required under current regulations (see §668.46(b)(11)(vii)), the regulations will require the following additions to the statement of policy.

§668.46(k)(1)(i) provides that the statement of policy must describe each type of disciplinary proceeding used by the institution including the steps, anticipated timelines, and decision-making process for each, and how the institution determines which type of disciplinary hearing to use. §668.46(k)(1)(ii) provides that the statement of policy must describe the standard of evidence that would be used during any disciplinary proceeding. §668.46(k)(1)(iii) provides that the statement of policy must list all possible sanctions an institution may impose following the results of any disciplinary proceeding. §668.46(k)(1)(iv) provides that the policy statement must describe the range of protective measures that the institution may offer following an allegation of dating violence, domestic violence, sexual assault, or stalking.

Under §668.46(k)(2), the institution will have to provide additional information regarding its disciplinary proceedings in the statement of policy. An institution's statement of policy will have to provide that its disciplinary proceeding includes a prompt, fair, and impartial process from the initial investigation to the final result under §668.46(k)(2)(i). The policy statement will have to provide that the proceeding will be conducted by officials who receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking, and annual training on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability under §668.46(k)(2)(ii). Under §668.46(k)(2)(iii), an institution's statement of policy must provide that its disciplinary proceeding will afford the accuser and the accused the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice. Under §668.46(k)(2)(iv), an institution cannot limit the choice or presence of an advisor, however, the institution may establish restrictions regarding the advisor's participation in the proceedings as long as those restrictions apply equally to both the accuser and the accused. Finally, under §668.46(k)(2)(v), an institution's statement of policy would require simultaneous notification, in writing, to both the accuser and the accused of the result of any institutional disciplinary proceeding, the institution's procedures for the accused and the victim's right to appeal the result, any change to the result, or when such results become final.

*Burden Calculation:* On average, we estimate that the changes to the institution's statement of policy would take each institution 2.75 hours of additional burden. As a result, reporting burden at public institutions will increase by 5,530 hours (2,011 reporting public institutions times 2.75 hours per institution). Reporting burden at private non-profit institutions will increase by 5,099 hours (1,854 private non-profit institutions

times 2.75 hours). Reporting burden at private for-profit institutions will increase by 9,254 hours (3,365 private for-profit institutions times 2.75 hours per institution).

Collectively, burden in §668.46(k) will increase by 19,883 hours under OMB Control Number 1845-0022.

**1845-0022 Current Burden:**

Respondents	Responses	Hours of Burden
904,212	1,321,918	2,138,320

**§668.46 New Burden:**

Respondents	Responses	Hours/Response		Hours of Burden
<b>For-Profit Institutions</b>	3,365			
§668.46 (b) Annual Security Report	x	2.5	=	8,413
§668.46 (c) Crime Statistics	x	1.5	=	5,048
§668.46 (j) Programs/Training	x	4	=	13,460
§668.46 (k) Procedures/Discipline	x	2.75	=	9,254
			<b>Total</b>	<b>36,175</b>
<b>Not-For-Profit Institutions</b>	1,854			
§668.46 (b) Annual Security Report	x	2.5	=	4,635
§668.46 (c) Crime Statistics	x	1.5	=	2,781
§668.46 (j) Programs/Training	x	4	=	7,416
§668.46 (k) Procedures/Discipline	x	2.75	=	5,099
			<b>Total</b>	<b>19,931</b>
<b>Public Institutions</b>	2,011			
§668.46 (b) Annual Security Report	x	2.5	=	5,028
§668.46 (c) Crime Statistics	x	1.5	=	3,017
§668.46 (j) Programs/Training	x	4	=	8,044
§668.46 (k) Procedures/Discipline	x	2.75	=	5,530
			<b>Total</b>	<b>21,619</b>
<b>Total Affected Entities</b>	<b>7,230</b>	<b>Total Hours of Burden</b>		<b>77,725</b>

**1845-0022 Revised Burden:**

Respondents	Responses	Hours of Burden
<b>904,212</b>	<b>1,329,148</b>	<b>2,216,045</b>

Note: The number of Respondents (904,212) includes the 7,230 Total Affected Entities.

The current distribution of the respondents, responses, and hours for the OM information collection 1845-0022 is shown below and the Department is requesting the continued approval of these respondents, responses, and hours. These changes will increase the current burden associated with §668.46 in this collection as follows:

Overall, burden for revised §668.46 will increase by 77,725 hours under OMB Control Number 1845-0022.

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

- The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life); and (b) a total operation and

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

- If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.
- Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government or (4) as part of customary and usual business or private practices. Also, these estimates should not include the hourly costs (i.e., the monetization of the hours) captured above in Item 12

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

Total Annualized Costs Requested : \_\_\_\_\_

There are no capital/startup costs to respondents.

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.

There are no additional costs to the Federal government as a result of the regulations.

15. Explain the reasons for any program changes or adjustments. Generally, adjustments in burden result from re-estimating burden and/or from economic phenomenon outside of an agency's control (e.g., correcting a burden estimate or an organic increase in the size of the reporting universe). Program changes result from a deliberate action that materially changes a collection of information and generally are result of new statute or an agency action (e.g., changing a form, revising regulations, redefining the respondent universe, etc.). Burden changes should be disaggregated by type of change (i.e., adjustment, program change due to new statute, and/or program change due to agency discretion), type of collection (new, revision, extension,

reinstatement with change, reinstatement without change) and include totals for changes in burden hours, responses and costs (if applicable).

This is a request for a revision of a current collection. The increase in burden is a result of the final regulations at §668.46 implementing changes based on the reauthorization of VAWA and its effect on the Clery Act. These program changes add to the current burden in part due to the inclusion of two new sections in §668.46 that require additional data collection and reporting by institutions as well as revisions to the existing data collection and reporting requirements.

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.

Both the institution and the Department display the annual campus safety and security survey results on web sites to comply with regulation and to offer greater information sharing with the public.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

The Department is not seeking this approval.

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

The Department is not requesting any exceptions to the "Certification for Paperwork Reduction Act Submissions" of OMB Form 83-1.