

SUPPORTING STATEMENT

A. JUSTIFICATION

Q1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attached is a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

The U.S. Secretary of Education has proposed revising the final requirements for the School Improvement Grants (SIG) program, published in the Federal Register on October 28, 2010, authorized under section 1003(g) of title I of the Elementary and Secondary Education Act of 1965, as amended (ESEA), to implement language in the Consolidated Appropriations Act, 2014, that allows local educational agencies (LEAs) to implement additional interventions, provides flexibility for rural LEAs, and extends the grant period from three to five years. Additionally, the proposed requirements make changes that reflect lessons learned from four years of SIG implementation.

These requirements contain information collection activities covered under the Paperwork Reduction Act (PRA) and cause revisions to the currently approved Office of Management and Budget (OMB) data collection under control 1810-0682. The activities that are currently approved by OMB consist of: (1) the state educational agency (SEAs') preparation of applications to submit to the Department to apply for SIG funds and the SEAs' posting of the LEAs' applications on the SEAs' Web sites; (2) the reporting of specific school-level data on the use of SIG funds and specific interventions implemented in LEAs receiving SIG funds that the Department currently collects through *EDFacts* (OMB Control 1875-0240); and (3) the application an LEA must submit to apply to its SEA for SIG funds. The following is a summary of how the proposed requirements would change these activities and the effect they would have on the total annual approved burden.

The Consolidated Appropriations Act, 2014 included changes to the SIG requirements that require changes to the current approved data collection. These changes are addressed in the NPRM and allow LEAs to implement additional interventions, provide flexibility for rural LEAs, and extend the grant period from three to five years. The amendments to the requirements also reflect lessons learned from four years of SIG implementation. Additionally, the amendments reflect the fact that, since the final requirements for the SIG program were published in 2010, 45 SEAs received approval to implement ESEA flexibility, pursuant to which they no longer identify Title I schools for improvement, corrective action, or restructuring. To reflect this change, the amended requirements make priority schools, which are generally a State's lowest-achieving Title I schools, and focus schools, which are generally the schools within a State with the largest achievement gaps, eligible to receive SIG funds.

Under proposed requirement section II.B.1(b), each SEA may submit, as part of the required application it submits to the Department to receive SIG funds, one State-determined intervention model for review and approval by the Secretary. These proposed requirements would require an SEA to submit a proposed State-determined intervention model as part of its application, if a State chooses to implement this model.

The proposed requirements also make a number of clarifications to the reporting requirements. First, proposed requirement section III.A.3 eliminates the metric for “Truants” and replaces it with “Chronic absenteeism rates.” Second, proposed requirement III.A clarifies the correct source for each of the required metrics and removes references to the SFSF previously approved under OMB data collection 1810-0695. Finally, proposed requirements in section III.A.3 would require an SEA to report, with respect to schools receiving SIG awards, the number of schools implementing models with a modified element pursuant to proposed section I.B.6 and which models are being implemented in those schools.

Regulatory and PRA Clearance Background

On December 10, 2009, the U.S. Department of Education (Department) published final requirements and a SEA application for the SIG program authorized under section 1003(g) of Title I of ESEA, as amended, and funded through the Department of Education Appropriations Act, 2009, and the American Recovery and Reinvestment Act of 2009 (ARRA) (FY 2009). On January 21, 2010, the Department published interim final requirements and a revised SEA application for FY 2009 SIG funds, which amended the final requirements and application issued in December.¹ The Department issued an amended SEA application, containing technical changes from the application SEAs used to apply for FY 2009 funds, for FY 2010 SIG funds provided through the FY 2010 appropriations act, also governed by section 1003(g) of the ESEA and the final requirements.

The final requirements defined the criteria that an SEA must use to award FY 2009 and FY 2010 SIG funds to LEAs. In awarding these funds, an SEA must give priority to the LEAs with the lowest-achieving schools that demonstrate the greatest need for the funds and the strongest commitment to using the funds to provide adequate resources to their lowest-achieving schools that are eligible to receive services provided through SIG funds in order to raise substantially the achievement of the students attending those schools.

Those final requirements also included information collection activities covered under the PRA. The activities consisted of: (1) applications for an SEA to submit to the Department to apply for FY 2009, and FY 2010 SIG funds; (2) the reporting of specific school-level data on the use of SIG funds and specific interventions implemented in LEAs receiving SIG funds that the Department currently does not collect through *EDFacts*²; (3) the process for an LEA to apply to its SEA for SIG funds; and (4) the SEA’s posting its LEAs’ applications on the SEA’s website.

The Department received emergency approval of the information collection activities, including an application for FY 2009 funds, at the same time it issued the final requirements. OMB also approved a change to the collection at the time the Department issued the interim final requirements in January. These approvals permitted the SEA application process for FY 2009 funds to begin so that students in the lowest-achieving schools start receiving the assistance they need as soon as possible.

¹ Together, these requirements are referred to in this document as the “final requirements.”

² The Department is proposing to collect this information through *EDFacts*. More information is provided in Q12.

The Department then requested regular approval of the information collection activities, including the amended SEA application for FY 2010 SIG funds, which was granted through September 30, 2016.

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.

The information is needed to successfully implement the SIG program.

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.

The information collections that involve SEAs providing information to the Department may be submitted electronically. An SEA may also have its LEAs submit their applications electronically to the SEA.

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.

There is no duplication in the collection.

Q5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.

The information collections in the final notice do not disproportionately add burden to small LEAs.

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.

If the collection were not conducted, the Department would not be able to continue to implement the SIG program in accordance with the President's and Secretary of Education's priorities. As a result, students attending the lowest-achieving schools would not receive services provided through SIG funds designed to substantially raise their achievement.

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.*

This collection is consistent with 5 CFR 1320.5.

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 those 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 preclude consultation in a specific situation. These circumstances should be explained.

The Department has published a consecutive comment period with the proposed regulatory requirement comment period under RIN 1810-AB22 Docket ID ED-2014-OESE-0079 published on September 8, 2014.

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

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

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

There is no assurance of confidentiality.

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.

There are no questions of a sensitive nature.

Q12. Provide estimates of the hour burden of the collection of information. The statement should:

- Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.*
- If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.*
- Provide estimates of annualized cost to respondents of the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.*

The final requirements include information collection activities for SEAs and LEAs. We provide a description of each activity and accompanying burden estimate in the following tables. The first table presents the estimate for SEAs and the second table presents the estimate for LEAs.

The NPRM adds burden to the currently approved annual burden for SEAs. Under the reporting burden estimates, 52 SEAs will report SEA and LEA requirements for a total of 3,640 annual burden hours at a cost of \$30 per hour totaling an annual cost of \$109,200. The NPRM does not change the currently approved annual burden for LEAs.

SIG Activity	Number of SEAs	Hours/Activity	Hours	Cost/Hour	Cost
Complete SEA application (including requests for waivers)	52	100	5,200	\$30	\$156,000
Review and post LEA applications	52	800	41,600	\$30	\$1,248,000
Reporting	52	70	3,640	\$30	\$109,200
Total			50,440	\$30	\$1,513,200

Local Educational Agency Estimate

SIG Activity	Number of LEAs	Hours/Activity	Hours	Cost/Hour	Cost
Complete LEA application	3,050	60	183,000	\$25	\$4,575,000
Report data to SEA*					
Total			183,000	\$25	\$4,575,000

* See the previous paragraph.

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.*

There are no costs that (a) meet the criteria for inclusion under this item and (b) have not been addressed in either item #12 or #14.

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.

The Federal costs related to the collections will primarily involve reviewing the SEA applications. We estimate a cost of \$253,910.

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

The Consolidated Appropriations Act, 2014 included changes to the SIG requirements that require changes to the current approved data collection. These changes are addressed in the NPRM and allow LEAs to implement additional interventions, provide flexibility for rural LEAs, and extend the grant period from three to five years. The amendments to the requirements also reflect lessons learned from four years of SIG implementation. Additionally, the amendments reflect the fact that, since the final requirements for the SIG program were published in 2010, 45 SEAs received approval to implement ESEA flexibility, pursuant to which they no longer identify Title I schools for improvement, corrective action, or restructuring. To reflect this change, the amended requirements make priority schools, which are generally a State's lowest-achieving Title I schools, and focus schools, which are generally the schools within a State with the largest achievement gaps, eligible to receive SIG funds. Under proposed requirement section II.B.1(b), each SEA may submit, as part of the required application it submits to the Department to receive SIG funds, one State-determined intervention model for review and approval by the Secretary. These proposed requirements would require an SEA to submit a proposed State-determined intervention model as part of its application, if a State chooses to implement this model. The proposed requirements also make a number of clarifications to the reporting requirements. First, proposed requirement section III.A.3 eliminates the metric for "Truants" and replaces it with "Chronic absenteeism rates." Second, proposed requirement III.A clarifies the correct source for each of the required metrics and removes references to the SFSF previously approved under OMB data collection 1810-0695. Finally, proposed requirements in section III.A.3 would require an SEA to report, with respect to schools receiving SIG awards, the number of schools implementing models with a modified element pursuant to proposed section I.B.6 and which models are being implemented in those schools. There is a program change increase of +3640 annual burden hours due to new statutory requirements..

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.

There are no plans to publish the results of this data collection.

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.

No request is being made to not display the expiration date for OMB approval of the information collection.

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

There are no exceptions to the referenced certification statement.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

This information collection does not employ statistical methods.