



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF CAREER, TECHNICAL, AND ADULT EDUCATION

MEMORANDUM

DATE:

TO: Sharon M. Mar
Desk Officer
Office of Information and Regulatory Affairs
Office of Management and Budget

THROUGH: Stephanie Valentine
Information Collection Clearance Division
Privacy, Information and Records Management Services
Office of Management

FROM: Johan E. Uvin
Acting Assistant Secretary

SUBJECT: Performance Partnership Pilots – Request for Emergency Clearance
of Information Collection

The Performance Partnership Pilots (P3) program was enacted on January 17, 2014 through the Consolidated Appropriations Act, 2014 (the Act, see Section 526 of Division H). The P3 program provides new authority to the Departments of Education (ED), Labor, and Health and Human Services (HHS), along with the Corporation for National and Community Service (CNCS) and the Institute of Museum and Library Sciences, to enter into a total of up to ten Performance Partnership agreements with States, localities, or tribes that give these grantees additional flexibility in using certain Fiscal Year (FY) 2014 discretionary funds across multiple Federal programs to serve disconnected youth. Entities that seek to participate in these pilots will commit to achieve significant improvements for disconnected youth in exchange for this new flexibility. To defray some of the administrative and evaluation costs associated with operating the pilot, the agencies also will award small grants to the entities operating each pilot.

Pursuant to 5 CFR § 1320.13, the Department is requesting emergency approval of its information collection under the P3 program because (1) the P3 program authority was an unanticipated event, and (2) public harm is likely to result if the participating agencies have not published a notice inviting applications by later this summer.

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The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

Enactment of the pilot authority was not expected by the participating agencies. The P3 program was first proposed by the Administration in the FY 2013 budget request, but did not gain traction in Congress. There was no indication that the outcome would be different with the FY 2014 budget request. Agencies therefore did not reasonably anticipate affirmative Congressional action on the request.

The participating agencies and the U.S. Office of Management and Budget agreed that ED will act as the lead Federal agency that will solicit applications, on behalf of Labor, HHS, and CNCS, from entities seeking to be designated as pilots and to receive the start-up grant funds. Under the P3 authority, these entities may also seek waivers of requirements under the programs whose funds they propose to blend in the pilot, in an effort to achieve flexibility and efficiency and eliminate barriers to service delivery. Effective implementation of the P3 program is essential to ED's mission as articulated in the Department of Education Organization Act (Public Law 96-88 of October 1979), including ED's responsibility to strengthen the Federal commitment to assuring access to equal educational opportunity for every individual, to improve the coordination and management of Federal education programs, and to increase the accountability of Federal education programs to the President, the Congress, and the public. Through the Request for Information (RFI) on Strategies for Improving Outcomes for Disconnected Youth that ED published in the *Federal Register* on June 4, 2012 (77 FR 32959), we learned from practitioners that youth-serving funding streams and systems are sometimes poorly coordinated and aligned, making it difficult to ensure that disconnected youth receive the services and supports they need. The P3 authority will empower youth-serving agencies to use Federal education funds, as well as funds from HHS, Labor, and CNCS, more effectively to meet the needs of disconnected youth. The Performance Partnership agreements that will be established with each entity also will test a new and more outcome-based approach to holding States, tribes, and local governments accountable for their use of ED and other Federal funds.

We are requesting emergency approval and the waiver of the public comment period so that ED can publish a notice inviting applications by September 30, 2014, the end of Fiscal Year 2014. Prompt implementation of the P3 program, including the solicitation of applications this fall, is critical to the program's success because the authority to blend funds, and the waiver authority, is limited to FY 2014 funds only. States, localities, and tribes are now making plans and, in many cases, carrying out plans to use the FY 2014 funds that have been awarded to them under the various programs administered by ED, HHS, Labor, and CNCS that they might consider blending in a pilot. It is imperative that we solicit applications from potential P3 pilots as quickly as possible before these entities have obligated all of their FY 2014 funds; if the solicitation is delayed, the P3 program will have little or no practical impact in this program year. The Administration proposed, and the Congress passed, the P3 authority because of the severity of the needs of the more than five million disconnected youth who are neither in school nor working. This important opportunity to improve the outcomes and well-being of disconnected youth in the immediate future will be lost if emergency approval is not granted.

ED and the other participating agencies have taken all practical steps to consult with interested entities and members of the public in order to minimize the burden of the collection of information. There has been extensive consultation with diverse stakeholders concerning the implementation of the P3 authority. The June 2012 RFI on Disconnected Youth specifically

sought public input on the implementation of the P3 authority, which was first proposed by the Administration in the FY 2013 budget request. The RFI received 171 responses. On April 28, 2014, the agencies issued to the general public a consultation paper that provided background information about the pilot authority and set out the agencies' initial thinking about the implementation of the authority. The paper also encouraged stakeholders to respond by email to disconnectedyouth@omb.eop.gov to key questions about various aspects of the authority's implementation (e.g., "What are the benefits and drawbacks of the solicitation process described above?"). The Federal agencies also used the paper to guide two national webinars on April 21 and 30, 2014 that provided information to the field and solicited feedback about the implementation of the authority. More than 200 individuals participated in the webinars. ED and the other participating agencies also have made presentations about the P3 authority and sought feedback about its implementation from representatives of the National Governors Association, the National Conference of State Legislatures, and the Council of Chief State School Officers. In addition, on July 31, 2014, ED published a notice in the *Federal Register* that invited public comment on the application process for P3 (79 FR 44436). ED sought comments on the following three questions:

1. What information, in addition to the information required by the Act, should entities be required to submit in their applications?
2. What criteria should the Agencies use to evaluate applications?
3. What technical assistance would be helpful to entities in preparing their applications?

ED received eight responses to the notice. The draft Notice Inviting Applications is responsive to a number of the comments we received. For example, several of the selection criteria reflect recommendations made by public commenters.

Finally, ED and the other participating agencies have already taken steps that will reduce burden in the application process in that they are now proposing a one-stage application process, as opposed to an initially-planned two-stage application process

ED is requesting OMB approval by September 26, 2014.

Thank you for your prompt consideration of this request. If you have questions, please contact Braden Goetz by telephone at (202) 245-7405 or by email at Braden.Goetz@ed.gov.