

Family Educational Rights and Privacy (FERPA) Act E-Complaint Form**SUPPORTING STATEMENT****FOR PAPERWORK REDUCTION ACT SUBMISSION**

ICRAS ICR ID and OMB Number: (2027) 1880-NEW

Revised 04/30/2014

A. Justification**1. Necessity of Information Collected.**

The Family Educational Rights and Privacy Act (FERPA) is codified at 20 U.S.C. § 1232g. The purpose of FERPA is to protect the privacy of students' education records. FERPA affords certain rights to parents and to eligible students (a student who has reached 18 years of age or is attending a postsecondary institution at any age) with respect to students' education records. FERPA applies to educational agencies and institutions that receive funds from any program administered by the Department of Education. The regulations are found at 34 CFR Part 99.

2. Purpose of Use of Information Collected.

The Family Policy Compliance Office (FPCO) is the office responsible for administering the FERPA. FPCO provides technical assistance to educational agencies and institutions to improve their understanding of and ensure their compliance with requirements concerning student education records under FERPA. FPCO also reviews, investigates, and processes complaints of alleged violations of FERPA filed by parents and eligible students. FPCO's authority to investigate, review, and process complaints extends to allegations of violations of FERPA of any recipient of Federal Department of Education funds under a program administered by the Secretary (e.g., schools, school districts, postsecondary institutions, state educational agencies, and other third parties that receive Department funds). Generally, FPCO cannot investigate complaints against private and parochial elementary and secondary schools as these schools are not subject to FERPA, unless such private schools receive federal education funds. As fully investigating complaints of alleged violations takes time, we ask parents and students filing complaints to read carefully accompanying information prior to completing and submitting the complaint form.

3. Consideration of Improved Information Technology.

The advancement of and more common use of computer systems have dramatically reduced the burden of producing information to be submitted in a complaint. Parents no longer have to hand-write letters of complaints and can easily utilize computers and agency Web sites for submitting inquiries and complaints.

FPCO which administers FERPA, will make available to parents and eligible students a complaint form that can be accessed by the internet or by calling FPCO to request a complaint form, then link of which can be emailed to them. The complaint form will be posted on FPCOs Web site. FPCO routinely responds to telephone and email inquiries from parents and eligible students, providing them with guidance and interpretation on FERPA. The guidance often includes information on how to file a complaint with FPCO. This new complaint form greatly reduces the burden on parents and eligible students of having to write down information on how to file a complaint with FPCO and draft a letter.

4. Efforts to Identify Duplication.

The provisions do not duplicate any other Federal requirements. No other agency has this information.

5. Burden Minimization as Applied to Small Businesses.

This data collection is consistent with the Administration's regulatory principles to minimize burden on small entities.

6. Consequences of Less Frequent Data Collection.

Should these collections of information under FERPA be conducted less frequently, the requirements of the Act would not be carried out.

7. Special Circumstances Governing Data Collection.

These information collection requirements are consistent with the guidelines in 5 CFR 1320.5(d)(2).

8. Consultation Outside the Agency.

The Department published a 60 day notice on May 6, 2014 (79 FR 25845); the Department did not receive any public comments during the 60 Day FRN. A 30 day notice was published.

9. Payments or Gifts to Respondents.

The information collection's respondents will not receive any payment or gift for submitting any information related to FERPA.

10. Assurance of Confidentiality.

Personally identifiable information collected in the FERPA complaint process is covered under FPCO's records system, "Family Educational Rights and Privacy Act (FERPA) Record Systems." (18-05-02) were published on 6/4/1999 FR Citation 64 30107.

11. Questions of Sensitive Nature.

The FERPA compliant process does not address nor call for questions of a sensitive nature.

12. Annual Hour Burden for Respondents/Record Keepers

There are approximately 500 parents and eligible students who are expected, based on previous yearly records at the Department, to annually respond to this data collection. We estimate that an average of 1.0 hours (60 minutes) per response is required for this data collection.

No. Complaints		500
<u>Burden Hours:</u>	x	1.0

Total Burden Hours = 500

13. Annual Cost Burden to Respondents.

The total for the capital and start-up cost components of both information collection requirements is zero. The information collection requirements under FERPA do not require the purchase of any capital equipment nor create any start-up costs. Computers and word processing software used to complete this information collection are part of the respondents' customary and usual business or private practices, and therefore are not included.

The total for operation and maintenance for this information collection is zero. The information collection does not create costs associated with generating, maintaining, and disclosing or providing the information that is not already identified in question 12 of this supporting statement.

14. Estimated Annual Cost to the Federal Government.

There are approximately 4 caseworkers who will be expected to copy and process the complaint form.

GS 13 @ 51.19 X 30 minutes per response = 15 hours

15 hours X 500 responses = \$7678.50 X 3 GS-13s @ = \$23, 035.50

GS 07 @ 20.22 X 30 minutes per response = 6 hours

6 hours X 500 responses = \$3,033

Total Costs = \$26,068.50

15. Reasons for Changes to the Burden Hours Estimated.

This is a new data collection with a program change increase of 500 annual burden hours.

16. Collection of Information with Public Results.

The results of the collection of information will not be published.

17. Approval to Not Display Expiration Date.

ED is not seeking this approval.

18. Exception to Certification Statement.

ED is not requesting any exceptions to the "Certification for Paperwork Reduction Act Submissions."