

## 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 Office of Postsecondary Education (OPE) is seeking a new Office of Management and Budget (OMB) control number for the Campus Safety and Security Survey. The collection of information through the Campus Safety and Security Survey is necessary pursuant to §485 of the Higher Education Act of 1965, as amended (HEA), with the goal of increasing transparency of college safety and security information for consumers. This collection is prompted by the changes made by the Violence Against Women Reauthorization Act of 2013 (VAWA) (Pub. L. 113.4) , that, among other provisions, amended §485(f) of the HEA also known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). Changes to the regulations in 34 CFR 668.46 were a result of negotiated rulemaking. This submission is for the 2015-16, 2016-17, and 2017-18 collection years.

Section 485 of the HEA includes provisions designed to improve transparency in campus safety and security data for consumers. In response to these provisions, the Department of Education (ED) created the Web-based Campus Safety and Security Survey (<https://surveys.ope.ed.gov/security/>) to collect data regarding campus safety and security and fire safety statistics by October 15th of each year. The data is then made available to the public on the Campus Safety and Security Data Analysis and Cutting Tool (<http://ope.ed.gov/security/>) and on College Navigator. This request is to collect campus crime data from institutions using the Campus Safety and Security Survey.

The survey is a collection tool to compile annual data on campus crime and fire safety information. Because institutions are already required by Section §485 of the HEA to disclose most of this to ED in their annual security and fire safety reports, we estimate a minimal burden attached to the completion of the survey instrument.

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

There are several sections to the Web-based Campus Safety and Security Survey. The first screen asks for general information of the individual who is completing the form on behalf of the institution. The following screen asks for general information about the Chief Administrative Officer, Campus Safety Officer, Campus Fire Safety Officer, and Title IX Coordinator. After the user completes these screens in the first collection year, the information will be prefilled for subsequent collections. Next, the user completes the Screening Questions. Based on the responses to the screening questions, the system will determine which data entry screens are relevant for the institution. The user will only be prompted to complete the relevant screens, thereby reducing burden. Next, the user will enter crime, arrest, and disciplinary action statistics that their institutions have collected through the year. The final section of the survey asks institutions to provide information about each fire reported to have occurred within an on-campus student housing facility.

Section 485(f) of the HEA, which mandates the collection of campus safety and security information, requires ED to collect safety and security statistics from institutions participating in the federal student financial programs authorized by title IV of the HEA and to make the statistics available to the public. Foreign institutions of higher education are exempt from this requirement. Section 485(i) of the HEA requires ED to collect fire safety statistics from eligible institutions and make them available to the public.

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 required information is collected using the Annual Security Report and reported to ED using the Campus Safety and Security Survey that is then posted to ED's web page. [The Campus Safety and Security Data Analysis Cutting Tool](#) allows interested parties access to data regarding one or more institutions or data that has been aggregated. This provides interested parties information to raise awareness of campus security issues at a given institution. ED also makes the data available on College Navigator. This information is also used in program compliance efforts and institutional reviews.

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 and fire safety statistics via ED's Campus Safety and Security Survey website. Institutions use the information they have already collected for their annual security and fire safety reports to

report information to ED. The use of this electronic method of transmission allows for accuracy in the reporting of the information to ED by institutions, minimizing transcription error by multiple parties. The use of the electronic method also employs skip logic, reducing burden for institutions.

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.

OPE has contacted the National Center for Education Statistics to determine if any overlap exists between the Campus Safety and Security Survey and their School Survey on Crime and Safety (SSOCS) in cases where postsecondary and secondary statuses may overlap. During that consultation, ED determined that SSOCS is a sample survey that provides industry estimates and does not list individual institutional data. The Campus Safety and Security Survey is a compliance collection and does show statistics at the institutional level. No duplication exists between these collections within ED.

ED has also reached out to the Department of Justice (DOJ) to confirm that no overlap exists with any of their data collections. While the DOJ is working to develop a climate survey on rape/sexual assault on college campuses, their climate survey is a small pilot study focused exclusively on rape, and DOJ may not elect to move to a national sample. As a result, we have determined that there is very little, if any, overlap with DOJ collections.

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.

Annual campus safety and security data collection is required by the HEA. Without the Campus Safety and Security Survey, ED would not meet its legal obligation to make this data available to the public.

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.

ED has published the applicable 60 and 30 day notices in the Federal Register inviting public comment on the form and the burden assessment. This is the 30 day notice. ED received only one substantive comment on the survey during the 60 day period. This comment pointed out a slight discrepancy between a table's heading and the text within the table, and as a result, ED changed the text within the table on page 30 of the survey to read "total occurrences reported by police" instead of "total occurrences reported to police." There is no expected change in burden associated with this change. The Office of the Vice President and the Department of Justice also gave feedback during the regulatory clearance process.

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

There are no payments or gifts offered to 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.

ED makes no pledge about the confidentiality of the data.

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.

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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)

This collection contains no questions of a sensitive nature.

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 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.

Based on 2014 data there are 7,135 institutions that would be required to report to the Campus Safety and Security Survey system. This figure includes 1,990 Public, 1,851 Private Not-for-Profit, and 3,294 Private For-Profit institutions. We estimate that it would take an institution approximately 25 minutes to complete the form, since institutions should have these numbers readily available after releasing their annual crime and fire safety reports.

Estimated annual burden to respondents

**Current Burden:**

Respondent/ Responses	Hours/Response	Hours of Burden
0		0

Proposed Burden

**For-Profit Institutions**

Web-based Campus Safety and Security Survey	3,294	x	.42	=	1,383
<b>Not-For-Profit Institutions</b>					
Web-based Campus Safety and Security Survey	1,851	x	.42	=	777
<b>Public Institutions</b>					
Web-based Campus Safety and Security Survey	1,990	x	.42	=	836
<b>Total Respondent/Responses</b>	<b>7,135</b>				<b>Total Hours of Burden</b>
					<b>2,996</b>

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.

On an annual basis, over three collection years, ED's contract costs will average about \$1,600,000 a year. This cost is associated with the contract awarded to conduct the data collection and includes the preparation and dissemination of "reminder" data collection memos to over 7,000 institutions of higher education. Throughout the collection period, the contractor is responsible for oversight of the individual submissions, including daily reviews of the data submitted for errors or inconsistencies that could not be detected by the online application and the reviewer must also read the text to determine if the response is adequate and appropriate; follow up on any questions posed by institutions submitting, and data migration. The contract also staff a help desk 8 am to 6 pm on business days.

The cost for ED staff to review the data collection is based on the hourly salary of a GS 12-5. Staff will take approximately 40 hours to review the data at a yearly cost of \$1,643.

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 new OMB collection. The increase in burden of 2,996 hours is based on the survey collection form designed to include information regarding the crimes that the Violence Against Women Reauthorization Act of 2013 added to the Clery data collection and dissemination requirements. Furthermore, as a result of the public comment process and consultation with other Federal agencies, ED has elected to collect information regarding the number of crimes which are unfounded as well as the contact information of certain institutional administrators.



ED estimates that it will take approximately 25 minutes for each of the institutions to provide the relevant information on the form. This is based on administrators already having calculated and disclosed the crime statistics in their annual security and fire safety reports.

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 institutions and ED display the annual campus safety and security survey results on web sites to comply with regulation and statute, as well as 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.

ED is not seeking approval to forego displaying the OMB approval expiration date.

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

ED is not seeking exceptions to the certification statement.