

**OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES
REHABILITATION SERVICES ADMINISTRATION
STATE GRANT FOR ASSISTIVE TECHNOLOGY PROGRAMS
ASSISTIVE TECHNOLOGY ACT OF 1998, AS AMENDED
State Plan for Assistive Technology
REQUEST FOR OMB APPROVAL**

**SUPPORTING STATEMENT REQUIRED UNDER
THE PAPERWORK REDUCTION ACT**

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 copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

Section 4 of the Assistive Technology Act of 1998, as amended (P.L. 108-364) (AT Act) provides grants to states to operate comprehensive statewide assistive technology programs (Statewide AT Programs) that increase access to and acquisition of AT devices and services for individuals with disabilities.

States are required to submit an application to the Rehabilitation Services Administration (RSA) in order to receive funds under this grant program. Section 4(d) of the AT Act requires that this application contain:

- (1) Information identifying and describing the lead agency and implementing entity (if applicable) responsible for carrying out the Statewide AT Program, and a description of how the implementing entity (if applicable) coordinates and collaborates with the state;
- (2) Measurable goals, and a timeline for meeting the goals, that the State has set for addressing the AT needs of individuals with disabilities in the State related to education, employment, community living, and information technology and telecommunications;
- (3) A description of how public and private entities were involved in the development of the application and will be involved in implementation of the grant, including the resources to be committed by these entities;
- (4) A description of how the Statewide AT Program will implement the activities required under the grant, which include state financing, device reutilization, device loans, device demonstrations, training, technical assistance, and public awareness. Statewide AT Programs must conduct these activities in coordination and collaboration with other appropriate entities;
- (5) An explanation of how the grant funds will be allocated, used, and tracked;
- (6) A set of assurances; and
- (7) A description of the activities that will be supported with state funds.

The full list of application requirements and assurances follows this supporting statement as an appendix. That appendix also indicates where and how the State Plan addresses these requirements.

In addition to being the format that states use to provide the required information listed above, RSA uses the application to request additional information necessary for determining compliance with other grant requirements, such as the composition of state advisory councils required under section 4(c)(2) of the AT Act. The State Plan for AT also contains assurances and other information required of any application for funds under the Education Department General Administrative Regulations (EDGAR).

Under the authority of 34 CFR 76.102, RSA requires that an application for funds under section 4 of the AT Act be a State Plan for Assistive Technology (State Plan for AT or State Plan). The first State Plans for AT were submitted in paper format via email to RSA in 2005 under OMB 1820-0664. The second, third, and current submission of the plans is only available in the Management Information System (MIS). RSA is requesting a renewal of the State Plan for AT because approval of 1820-0664 expires November 30, 2014.

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 purpose of the State Plan for AT is determining a state's eligibility to receive a grant under section 4 of the AT Act. The information contained in the state plan is used for monitoring purposes and enables RSA to determine whether the Statewide AT Program proposed by the state is consistent with the requirements of the AT Act. In addition, the State Plan for AT requests information necessary for basic program management, such as contact information for program personnel.

The information contained in State Plans for AT also is used to satisfy reporting requirements. Section 7(d) of the AT Act requires RSA to provide an annual report to Congress that must include a summary of the information provided in states' applications for funds.

In addition to being a source of information for the annual report to Congress, past experience has shown that the information in State Plans is needed to respond to requests for data. RSA frequently receives questions from, or presents information to, other Federal agencies, Congress, and the public on the AT Act. The information culled from State Plans enables RSA to answer common queries, such as how many programs undertake certain activities, how many programs are based in particular agencies, or how many programs collaborate with specified entities.

As explained in the following entry on "Use of Information Technology," the proposed State Plan for AT will be completed electronically and function as a searchable database.

This enables RSA to easily gather information to complete the report to Congress and respond to requests for information.

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.

The proposed State Plan for AT is submitted electronically as an online survey. Using RSA's MIS, states complete their plans via the Internet by entering data into fields, choosing from drop-down menus, selecting "check boxes," and providing narrative. Paper versions of the plan will neither be required nor accepted unless there is a technological barrier to use of the online system. The MIS will serve not only as the venue for submitting the plans electronically, but also functions as a database to allow both RSA and the public to access information.

The MIS is compliant both with section 508 of the Rehabilitation Act of 1973, as amended, and the Federal Information Security Management Act (FISMA). The entities completing these State Plans already use the MIS for other purposes, such as completing SF-425s and annual reports (OMB 1820-0572).

States receiving grants under the AT Act respond to a number of information collections for a number of purposes, all of which are entered electronically into RSA's MIS. These include 1820-0572, 1820-0662, and 1820-0687. RSA has been able to cross-populate basic program information (e.g., addresses, telephone numbers) from one collection to the other so states need enter this information only once.

An instruction manual accompanies the State Plan for AT. This will be distributed to states via e-mail and made available on the Department of Education's website.

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 information collected by the State Plan for AT is not duplicative of information collected through other data collections or by other methods, with the exception of basic contact information for program personnel.

While it is not a duplication of information, some information collected via 1820-0572 is related to information in the State Plan for AT. As explained above, the State Plan for AT must contain measurable goals. The data on a state's performance is collected and calculated via 1820-0572 while the performance measure targets themselves are set by RSA and actual performance in each goal area is tracked in the State Plan for AT (see Section H of the State Plan).

5. If the collection of information impacts small businesses or other small entities (Item 8b of IC Data Part 2), describe any methods used to minimize burden.

No information is collected from small entities.

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.

States only are required to submit a new plan every three years. Requiring that State Plans for AT be renewed every three years is consistent both with 34 CFR section 76.103 (which requires that any state plan cover a multi-year period), and three years is the maximum approval period for an information collection.

During the three year effective period of the plan, individual states may update the plan as necessary to ensure its accuracy (i.e., if a state changes how it conducts its activities, the State Plan must be updated to reflect that change).

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.

There are no special circumstances that make this collection inconsistent with 5 CFR 1320.5.

8. 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 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

A 60 day and 30 day notice was published in the Federal Register for public comment, RSA received one public comment during the 60-day FRN and is attached.

The proposed State Plan for AT IC package is a renewal of the current OMB-approved version.

RSA receives feedback from a work group of AT Act program directors about the format of the State Plan for AT. Incorporation of input from the field has been an ongoing process. RSA reviews the State Plan for AT with a group of ten directors of Statewide AT Programs; those directors provide feedback that influences the data collection. RSA

requests renewal of the online State Plan for AT information collection that was approved in 2011 by OMB for submission of the 1820-0664 in the MIS. We are not requesting any changes.

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

No payments or gifts will be given to respondents.

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

There are no assurances of confidentiality; the State Plan and the data submitted to the Department contain no personally identifiable information and this information already is publicly available.

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.

This information 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, 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 16 of IC Data Part 1.

- 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.

a.	Number of respondents	-- 56
b.	Frequency of response	-- 1
c.	Total annual responses (axb)	-- 56
d.	Hours per response	-- 74
e.	Total burden hours (cxd)	-- 4,144
f.	State hourly rate of salary	-- \$60.00
g.	Total cost (exf)	-- \$248,640.00

As stated earlier, six directors of Statewide AT Programs beta-tested the online State Plan for AT. The burden estimates affect the reporting responsibilities of the Statewide AT Programs and the directors were chosen to represent the diversity of the 56 programs based on regions of the country, sizes of the programs, types of agencies operating the programs, and whether or not the director was an individual with a disability. This burden estimate is the average of the time they reported for their beta-test as well as the time to consult with their advisory councils and receive approval of the plans from their state agencies.

The range of “hourly rate of salary” was based on estimates from the previous version of the State Plan adjusted for inflation.

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.

Total Annualized Capital/Startup Cost	: \$.00
Total Annual Costs (O&M)	: .00

Total Annualized Costs Requested	: \$.00
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There are no additional or new costs to respondents. Respondents only need to have a computer and internet access to complete the State Plan for AT.

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.

RSA employs one staff at the GS-14 level and another at the GS-13 level who dedicate a portion of their time to the administration of the AT Act program. These employees are housed in the Service Programs Unit, which is overseen by a Unit Chief and Director who also dedicate a portion of their time to the State Grant for AT program. RSA also employs an information technology specialist in the Program Support Staff Unit, who will implement the State Plan for AT information collection in the MIS upon OMB approval of this instrument. The estimated annualized cost to the Federal government for

RSA staff time is \$16,000 based on the salaries of these staff and how their time is apportioned to the State Plan for AT.

15. Explain the reasons for any program changes or adjustments to #16f of the IC Data Part 1 Form.

There are no program changes or adjustments. This request for extension of the State Plan for AT IC package does not result in a reduction in burden, as the package is a request for approval of a renewal without revisions. The renewal without revisions of this information collection, however, continues to provide a user-friendly reporting format through the use of technology and simplification. The initial State Plan for AT was a paper document that consisted mostly of narrative responses. The current State Plan is completed entirely electronically in the MIS.

The decision to simplify the State Plan for AT was the result of lessons learned from implementing the previous state plan. The information provided in the plans submitted by states in 2005 revealed patterns of implementation that could be captured by selecting from a menu of choices rather than by narrative. Searching narratives for the information necessary to respond to queries was difficult -- a problem that is alleviated by the plans entered in the MIS.

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.

According to EDGAR, all state plans are public information, so the public will be able to access the State Plans for AT via the MIS. This includes data from individual states and aggregated data. The data entered into each section of the MIS will be used to generate a state plan "report" for each state.

As previously stated, the annual report to Congress on the AT Act also contains a summary of information from state plans. This generally takes the form of state-by-state tables in the report and a one-page profile of each state plan as an appendix to the report.

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 burden statement and expiration dates for the State Plan are featured on the first pages of both the MIS and the instruction manual.

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

There are no exceptions to the certification statement.

APPENDIX

REQUIREMENTS RELATED TO THE STATE PLAN FOR AT

Requirement	Where and How the State Plan Addresses this Requirement
<p>From section 4(d):</p> <p>(1) IN GENERAL.—Any State that desires to receive a grant under this section shall submit an application to the Secretary, at such time, in such manner, and containing such information as the Secretary may require.</p>	<p>N/A</p>
<p>(2) LEAD AGENCY AND IMPLEMENTING ENTITY.—The application shall contain information identifying and describing the lead agency referred to in subsection (c)(1)(A). The application shall contain information identifying and describing the implementing entity referred to in subsection (c)(1)(B), if the Governor of the State designates such an entity.</p> <p>[Section 4(c) has related a related requirement:</p> <p>“On obtaining the approval of the Secretary, the Governor may redesignate the lead agency, or the implementing entity, if the Governor shows to the Secretary good cause why the entity designated as the lead agency, or the implementing entity, respectively, should not serve as that agency or entity, respectively. The Governor shall make the showing in the application described in subsection (d).”]</p>	<p>Section A includes items identifying and describing the lead agency and implementing entity (if applicable), as well as requiring information about any changes to these respective entities.</p>

<p>(3) MEASURABLE GOALS.—The application shall include—</p> <p>(A) measurable goals, and a timeline for meeting the goals, that the State has set for addressing the assistive technology needs of individuals with disabilities in the State related to—</p> <p>(i) education, including goals involving the provision of assistive technology to individuals with disabilities who receive services under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.);</p> <p>(ii) employment, including goals involving the State vocational rehabilitation program carried out under title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.);</p> <p>(iii) telecommunication and information technology; and</p> <p>(iv) community living; and</p> <p>(B) information describing how the State will quantifiably measure the goals to determine whether the goals have been achieved.</p>	<p>Section H (items 27 and 28) is where states set targets and report on progress toward measurable goals. The methods for measuring the goals are described and conducted under a different data collection, 1820-0572.</p>
<p>(4) INVOLVEMENT OF PUBLIC AND PRIVATE ENTITIES.—The application shall describe how various public and private entities were involved in the development of the application and will be involved in the implementation of the activities to be carried out through the grant, including—</p> <p>(A) in cases determined to be appropriate by the State, a description of the nature and extent of resources that will be committed by public and private collaborators to assist in accomplishing identified goals; and</p> <p>(B) a description of the mechanisms established to ensure coordination of activities and collaboration between the implementing entity, if any, and the State.</p>	<p>Sections C-G all contain items where states identify the activities in which public and private entities are involved, what entities are involved, and how they are involved.</p> <p>Section A includes an item to describe the mechanisms for coordination and collaboration between the implementing entity and state, if applicable.</p>

<p>(5) IMPLEMENTATION.—The application shall include a description of— (A) how the State will implement each of the required activities described in subsection (e), except as provided in subsection (e)(6)(A); and (B) how the State will allocate and utilize grant funds to implement the activities, including describing proposed budget allocations and planned procedures for tracking expenditures for activities described in paragraphs (2) and (3) of subsection (e).</p>	<p>Section B is where states identify the activities they will undertake, how they will allocate funds to those activities, and how they will track their expenditures.</p> <p>Sections C-G ask a series of questions about each activity the state conducts, such as the kinds of locations from which the activity is performed, how the activity is made available to consumers, policies related to the activity, and other questions that indicate how the activity is implemented.</p>
<p>(6) ASSURANCES.—The application shall include assurances that— (A) the State will annually collect data related to the required activities implemented by the State under this section in order to prepare the progress reports required under subsection (f); (B) funds received through the grant— (i) will be expended in accordance with this section; and (ii) will be used to supplement, and not supplant, funds available from other sources for technology-related assistance, including the provision of assistive technology devices and assistive technology services; (C) the lead agency will control and administer the funds received through the grant; (D) the State will adopt such fiscal control and accounting procedures as may be necessary to ensure proper disbursement of and accounting for the funds received through the grant; (E) the physical facility of the lead agency and implementing entity, if any, meets the requirements of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) regarding accessibility for</p>	<p>Assurances are found in Section H.</p>

<p>individuals with disabilities;</p> <p>(F) a public agency or an individual with a disability holds title to any property purchased with funds received under the grant and administers that property;</p> <p>(G) activities carried out in the State that are authorized under this Act, and supported by Federal funds received under this Act, will comply with the standards established by the Architectural and Transportation Barriers Compliance Board under section 508 of the Rehabilitation Act of 1973 (20 U.S.C. 794d); and</p> <p>(H) the State will—</p> <p>(i) prepare reports to the Secretary in such form and containing such information as the Secretary may require to carry out the Secretary’s functions under this Act; and</p> <p>(ii) keep such records and allow access to such records as the Secretary may require to ensure the correctness and verification of information provided to the Secretary under this subparagraph.</p>	
<p>(7) STATE SUPPORT.—The application shall include a description of the activities described in paragraphs (2) and (3) of subsection (e) that the State will support with State funds.</p>	<p>Sections C-G require the state to report those activities supported by the state and the kind of support provided.</p>
<p>From section 4(c):</p> <p>(2) ADVISORY COUNCIL.—</p> <p>(A) IN GENERAL.—There shall be established an advisory council to provide consumer-responsive, consumer-driven advice to the State for, planning of, implementation of, and evaluation of the activities carried out through the grant, including setting the measurable goals described in subsection (d)(3).</p>	<p>Section B is where states identify the membership of their council and provide an assurance that the composition of the council is representative of the state.</p>

(B) COMPOSITION AND REPRESENTATION.—

(i) COMPOSITION.—The advisory council shall be composed of—

(I) individuals with disabilities that use assistive technology or the family members or

guardians of the individuals;

(II) a representative of the designated State agency, as defined in section 7 of the Rehabilitation Act of 1973 (29 U.S.C. 705) and the State agency for individuals who are blind (within the meaning of section 101 of that Act (29 U.S.C. 721)), if such agency is separate;

(III) a representative of a State center for independent living described in part C of title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796f et seq.);

(IV) a representative of the State workforce investment board established under section 111

of the Workforce Investment Act of 1998 (29 U.S.C. 2821);

(V) a representative of the State educational

agency, as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801); and

(VI) representatives of other State agencies, public agencies, or private organizations, as determined by the State.

(ii) MAJORITY.—

(I) IN GENERAL.—A majority, not less than

51 percent, of the members of the advisory council, shall be members appointed under clause (i)(I).

(II) REPRESENTATIVES OF AGENCIES.—Members appointed under subclauses (II) through (VI) of clause (i) shall not count toward the majority membership requirement established in subclause (I).

(iii) REPRESENTATION.—The advisory council shall be geographically

<p>representative of the State and reflect the diversity of the State with respect to race, ethnicity, types of disabilities across the age span, and users of types of services that an individual with a disability may receive.</p> <p>(C) EXPENSES.—The members of the advisory council shall receive no compensation for their service on the advisory council, but shall be reimbursed for reasonable and necessary expenses actually incurred in the performance of official duties for the advisory council.</p> <p>(D) PERIOD.—The members of the State advisory council shall be appointed not later than 120 days after the date of enactment of the Assistive Technology Act of 2004.</p> <p>(E) IMPACT ON EXISTING STATUTES, RULES, OR POLICIES.— Nothing in this paragraph shall be construed to affect State statutes, rules, or official policies relating to advisory bodies for State assistive technology programs or require changes to governing bodies of incorporated agencies who carry out State assistive technology programs.</p>	
<p>From EDGAR 76.104:</p> <p>A State shall include certain certifications in its State plan.</p> <p>(a) A State shall include the following certifications in each State plan:</p> <ul style="list-style-type: none"> (1) That the plan is submitted by the State agency that is eligible to submit the plan. (2) That the State agency has authority under State law to perform the functions of the State under the program. (3) That the State legally may carry out each provision of the plan. 	<p>Certifications are found in Section H.</p>

(4) That all provisions of the plan are consistent with State law.

(5) That a State officer, specified by title in the certification, has authority under State law to receive, hold, and disburse Federal funds made available under the plan.

(6) That the State officer who submits the plan, specified by title in the certification, has authority to submit the plan.

(7) That the agency that submits the plan has adopted or otherwise formally approved the plan.

(8) That the plan is the basis for State operation and administration of the program.