

Supporting Statement A

Tribal Education Department Grant Program

OMB Control Number 1076-0185

Terms of Clearance: None.

General Instructions

A completed Supporting Statement A must accompany each request for approval of a collection of information. The Supporting Statement must be prepared in the format described below, and must contain the information specified below. If an item is not applicable, provide a brief explanation. When the question “Does this ICR contain surveys, censuses, or employ statistical methods?” is checked “Yes,” then a Supporting Statement B must be completed. OMB reserves the right to require the submission of additional information with respect to any request for approval.

Specific Instructions

Justification

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.**

Under 25 U.S.C. 2020, Congress appropriated (one time) funding through the Bureau of Indian Education (BIE) for the development and operation of tribal departments or divisions of education for the purpose of planning and coordinating all educational programs of the tribe. To be eligible for funding under this program, a Federally Recognized Tribe may serve one Bureau-funded school but priority will be given to those tribes if they serve three or more separate Bureau-funded schools. All tribal education departments (TEDs) awarded under the program will provide coordinating services and technical assistance to the school(s) they serve. The BIE will need to solicit grant proposals from eligible Federally Recognized Tribes in order to award funding.

The funds will support the program goals for the following areas that promote tribal education capacity building:

- Development and enforcement of tribal educational codes, including tribal education policies and tribal standards applicable to curriculum, personnel, students, facilities, and support programs;
- Facilitate tribal control in all matters relating to the education of Indian children on reservations (and on former Indian reservations in Oklahoma);

- Provide development of coordinated educational programs (including all preschool, elementary, secondary, and higher or vocational educational programs) on reservations (and on former Indian reservations in Oklahoma) by encouraging tribal administrative support of all Bureau-funded educational programs, as well as encouraging tribal cooperation and coordination with entities carrying out all educational programs receiving financial support from other Federal agencies, State agencies, or private entities.

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. Be specific. If this collection is a form or a questionnaire, every question needs to be justified.

To be transparent with all eligible Federally Recognized Tribes, the BIE will publish a Federal Register notice of the availability of funding (when available) and request for grant proposals. BIE will review the proposals to determine if the tribe is eligible for the grant and if the funding will be used for the stated purposes of planning and coordinating educational programs of the tribe.

A complete proposal must contain the following elements:

- A formal signed resolution from the appropriate tribal governing body supporting the TED grant proposal – The resolution is necessary to ensure the tribe or TED has authorized the request.
- A proposal describing the planned activities and deliverable products – BIE will use this information to ensure the proposed project falls within the scope of what the funds are to be used for.
- A detailed budget estimate, including contracted personnel costs, travel estimates, and other expenses – BIE will use this information to ensure that the funds will be used for the authorized purposes.

BIE will evaluate the grant proposal on the following criteria:

(1) Project Narrative:

The narrative must discuss the vision of the tribe's or TED's educational goals to strengthen tribal engagement and participation in coordinating assistance and support to Bureau-funded school(s). The narrative will include the expected outcome for student success and how the proposed project will increase student competency. The narrative should describe how the tribe will develop and implement on or more of the following projects identified under 25 U.S.C. 2020:

- o Tribal Education Code Development
- o Tribal Education Control
- o Tribal Administrative Support

(2) Budget Narrative: This narrative includes, in detail, the amount of grant funds that will

be allocated to each budget category, which will include salary costs, travel estimates, and other expenses.

- (3) Work Plan: The work plan must describe the goals, objectives, tasks, responsible parties, timelines, and expected outcomes. BIE highly recommends the inclusion of timelines that factor in tribal grant award processes, if awarded, that may include, tribal grant award acceptance, tribal human resource hiring, and/or consultant hiring.

Once the grants have been awarded, those participating TEDs will need to submit the following items for the duration of their grant and shall comply with regulations relating to grants made under 25 U.S.C. §450h(a):

Quarterly Reports – BIE will use this information to ensure the performance of the TED program’s function and activity are being met. .

Annual Reports – BIE will use this information to stay apprised of the TEDs progress and accomplishments, and ensure the tribal education department fulfills the obligations of the grant. The annual report is articulated in the grant application that requests tribes to provide a presentation that shows the progress of their Year 1.

Time Period of Grant – Subject to the availability of appropriated funds, a grant provided under this program shall be provided for a period of one year. If the performance of the grant recipient is satisfactory to BIE during its first year, the grant may be renewed for an additional two-year term.

In 2015, the BIE received a one time appropriation of \$2,000,000. It is unknown if Congress will appropriate additional funding in subsequent fiscal years to allow for new TED participants. It is BIE’s objective to award all of the \$2,000,000 available, which may require more than one Federal Register notice soliciting grant proposals.

3. **Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden and specifically how this collection meets GPEA requirements.**

The application can be retrieved from the BIE’s website at:
<http://www.bie.edu/NewsEvents/index.htm>

BIE will accept grant proposals, quarterly reports, and annual reports by regular mail, Federal Express, Express Mail or by email.

The Information Collection Clearance Office, Office of Regulatory Affairs and Collaborative

Action will be implementing a public website providing electronic access for the public to review all approved OMB forms for all of IndianAffairs. The OMB approved forms will fall under the website of

<http://www.bia.gov/WhoWeAre/AS-IA/ORM/InformationCollections/index.htm>

- 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 requested by BIE is not available from any other source. The information collected is unique to each tribe's vision of the tribe's or TED's educational goals to strengthen tribal engagement and participation in coordinating assistance and support to Bureau-funded school(s), expected outcome for student success, and how the proposed project will increase student competency.

- 5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.**

Indian tribes are not considered small entities. Therefore, this information collected will not impact small businesses or other small entities.

- 6. Describe the consequence 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.**

25 U.S.C. 2020 requires a grant proposal in order to be awarded funding for this program. If BIE is unable to conduct this information collection, eligible tribes would be deprived of funding to improve education or build the capacity of their tribal education departments

- 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 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.**

There are no circumstances that require BIE to collect the information in a manner stated above.

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 in response to the PRA statement associated with the collection over the past three years, and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

A 60-day notice for public comment was published in the Federal Register on September 1, 2015; 80 FR 52787. On October, 30, 2015, one tribe responded to all four questions listed in the 60-day notice. The comments were not substantive or had already been addressed in this supporting statement. Therefore, the BIE did not make any adjustments based on the comment received. The Sisseton Wahpeton Oyate Tribe submitted the following comments:

- a) The necessity of this information collection for the proper performance of the functions of the agency, including whether the information will have practical utility;
 - What is the purpose of the information collection?
 - Will it be shared?
 - If it is shared, is the Tribe consulted prior to the sharing of the information?
 - Are the requests for information timely and does the tribe have adequate time to respond?

BIE Response: Responses to Questions 1, 2, and 10 address each of these concerns. In addition, This information will be covered as part of the training provided when submitting proposals and quarterly and annual reports.

- b) The accuracy of the agency's estimated of the burden (hours and cost) of the collection of information, including the validity of the methodology and assumptions used;
 - The burden is considered high in regards to time and money spent.
 - Is there a development and implementation system in place?
 - What are the methods and assumptions that are expected to be used? Where are the policies that are guiding the methodology and assumptions?

BIE Response: Response to Questions 8 address the concern of the burden hours. TEDs who

have been awarded shall comply with regulations relating to grants made under 25 U.S.C. §450h(a). When the grant is awarded, awardees are provided General Conditions Applicable to TED Grants.

- c) Ways we could enhance the quality, utility, and clarity of the information to be collected; and
- Have quality, quantifiable data with consistent measurable goals and/or objectives.
 - Provide fillable forms with direct, consistent questions.
 - Have quarterly reporting guidelines and directives, upfront, which are summarized and generated for an annual report.
 - Branches of BIE ask for the same information repeatedly. A system of shared data within the BIE is needed.

BIE Response: Response to Question 4 address this concern about repeated information. When the grant is awarded, awardees are provided General Conditions Applicable to TED Grants.

- d) Ways we could minimize the burden of the collection of the information on the respondents, such as through the use of automated collection techniques or other forms of information technology.
- Have fillable forms.
 - Do not ask for any after the fact requested for information.
 - Have a tracking and monitoring system in place with guidelines and/or policies and procedures with a timeline
 - Have an online system.
 - Have quarterly reporting only.
 - Provide webinar, Skype, etc., meetings instead of travel time for meetings.

BIE Response: Fillable forms are provided where possible, but some response require a lengthier narrative description which necessitates free form documentation. Additional guidance and Q&A will be provided during both the proposal and reporting training. These training sessions will be available on line in webinar format, which will not require travel.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, 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 three 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.

The BIE reached out to three respondents who were involved in submitting the grant proposals and received the following feedback:

- Administrative Assistant, Pueblo of Acoma, PO Box 307, Pueblo of Acoma, NM 87034;
- Consultant, Rosebud Sioux Tribe, PO Box 40, Rosebud, SD 57570; and
- Consultant, Navajo Nation, PO Box 670, Window Rock, AZ 86515

1. Were the instructions clear?

Only one respondent agreed that the instructions were clear. The second respondent indicated the questions seemed to ask for duplicate information. And the third respondent determined that while some of the instructions were clear, many were not. There is a need for more detailed descriptions for each question and each section. Some questions were very vague and others were not clear as to what was needed in that certain section of the grant.

BIE Response: If and when additional funding is available to allow for solicitation for new TED grant proposals, the BIE will review their narrative and make any necessary adjustments.

2. Is our estimate burden accurate?

Only one respondent agreed that the estimated burden hours (20 hours) were accurate with the exception of obtaining the Tribal Support Resolution took more time due to tribal bureaucracy. The second respondent indicated the estimated burden was low and estimated they spent 10 days on the pre-application process, this includes 3 people working on the grant application (10 days x 8 hours a day = 80 hours x 3 people = 240 hours). The third respondent indicated the work to prepare for the grant submittal was longer than the initial time. They worked 9 days on the grant which included revisions, modifications, approvals, data gathering, and planning. Calculating the minutes we have determined we worked 4320 minutes on the pre-application process (4320 minutes / 60 minutes = 72 hours).

BIE Response: The BIE will use the average of the three to adjust the burden hours for preparing and submitting the proposal (20 + 240 + 72 hours = 111 hours).

3. Any other suggestions that could make the process less burdensome?

One respondent did not have a comment. The second respondent would like for BIE to design a grant proposal format that is more objective and less narrative. The third respondent asked the BIE to give the tribes more time to prepare the grant. Providing samples of what is required in the grant to reference when sections or instructions are unclear. Providing a hotline to call with questions regarding the application process.

BIW Response: If and when additional funding is available to allow for solicitation of new TED grant proposals, the BIE will review their narrative and make any necessary adjustments.

9. Explain any decision to provide any payment or gift to respondents, other than

remuneration of contractors or grantees.

No gifts or payments are provided to respondents.

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

No assurance of confidentiality is provided. The information that is collected is subject to the requirements of the Freedom of Information Act.

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. 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.

No questions of a sensitive nature are asked.

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.**

*** Provide estimates of annualized cost to respondents for 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 under "Annual Cost to Federal Government."**

BIE anticipates receiving grant proposals from 13 TEDs and estimates awarding grants to 10 recipients, resulting in 1,503 annual burden hours for a total of **\$48,141**.

Task	No. Respondents	No. of Responses per Year	Total Responses	Burden Hours per Response	Annual Burden Hours	Cost to Respondents*
Preparing	13	1	13	111	1,443	\$46,219

and submitting the Proposal						
Quarterly Financial Reports	10	4	40	1	40	\$1,281
Annual Reports	10	1	10	2	20	\$641
Totals			63		1,503	\$48,141

*To obtain the hourly rate for tribal government employees, we used **\$22.88**, the wages and salaries figure for all workers from BLS Release USDL 15-1132, *Employer Costs for Employee Compensation—March 2015 (released June 10, 2015)* Table 1, *Employer costs per hour worked for employee compensation and costs as a percent of total compensation: Civilian workers, by major occupational and industry group*. To account for benefits, we then multiplied this rate by 1.4, to obtain a total rate of **\$32.03**. See <http://www.bls.gov/news.release/pdf/ecec.pdf>.

13. Provide an estimate of the total annual non-hour cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected in item 12.)

* 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 (including filing fees paid for form processing). 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 purchasing or 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.

As part of the grant proposal process, BIE will hold pre-grant proposal training sessions that will include both in-person sessions and webinar. The BIE will provide technical assistance to tribes and go over all required information for a successful grant proposal. The in-person sessions will require travel expenses to the respondents. It is unknown if Congress will appropriate additional funding in subsequent fiscal years to allow for new TED participants. If new funding is made available, all future pre-grant proposal training sessions will be via webinar, which is no cost to the respondent.

The two in person pre-proposal training sessions, BIE estimates the cost to travel and attend the sessions will average \$233 per person, with 13 TED representatives for a total of \$3,029

BIE will conduct one in person post-award training session; BIE estimates the cost to travel and attend the session will average \$233 per person with 10 TED representatives for a total of \$2,330. Any additional post-award training session will be held via webinar, which is no cost to the respondent.

Therefore, BIE estimates a total non-hour cost to respondents is \$5,359.

The BIE has adjusted the non-burden hour cost from \$40,626 to \$5,359 based on actual grant proposals received of 13 and actual grants awarded of 10.

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.

We estimate the annual cost to the Federal Government to implement this information collection to be **\$6,733**.

Task	No. Respondents	No. of Responses per Year	Total Annual Responses	Federal Burden Hours per Response	Annual Burden Hours	Total Cost
Reviewing Proposals	13	1	13	5 hours	65	\$4,499*
Quarterly Reports	10	4	40	1 hour	40	\$2,102**
Annual Reports	10	1	10	15 minutes	3	\$131**
Totals			63		108	\$6,733

* Salary is based on a mix of personnel including, Program Analysts, Solicitors, and Project Managers (includes GS-15/4, GS-14/10, GS-14/5, GS-14/1, and GS-13/1). BIE has averaged the hourly rate required based on the mix of personnel required for each task, using the Office of

Personnel Management Salary Table 2015-GS (http://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2015/GS_h.pdf.) Both of these estimated average salary costs include a multiplier to account for benefits.

- *The average hourly salary based on the mix of all personnel required for review of the grant proposals to be **\$69.22** per hour; and
- **Only the GS-13/1 is required for review of the quarterly report and the annual report of **\$52.55** per hour.

Both of these estimated average salary costs include the 1.5 multiplier for benefits is based on the Bureau of Labor Statistics, EMPLOYER COSTS FOR EMPLOYEE COMPENSATION – March 2015 (released June 10, 2015), USDL-15-1132. See <http://www.bls.gov/news.release/pdf/ecec.pdf>.

15. Explain the reasons for any program changes or adjustments in hour or cost burden.

There are 64 eligible tribes that could submit a grant proposal. When BIE initiated this information collection process, they assumed that all 64 would submit a proposal. Based on the actual response, only 13 proposals were received. Of the 13 proposals, only 10 grants were awarded based on their eligibility. Therefore, BIE has adjusted their number of respondents based on the actual proposals received and grants awarded.

The respondent burden hours were adjusted based on the feedback received on the preparing and submitting the proposal. The BIE will use the average of the three to adjust the burden hours for preparing and submitting the proposal (20 + 240 + 72 hours = 111 hours).

The BIE has adjusted the non-burden hour cost from \$40,626 to \$5,359 based on actual grant proposals received of 13 and actual grants awarded of 10.

The BIE removed the information collection for the monthly meeting because the monthly meetings are meant for information sharing and for BIE to provide technical assistance to grant awardees via teleconference and Webinars.

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.

The results of this information collection will not be published.

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 OMB control number and expiration date will be displayed on the solicitation for proposals as well as on other appropriate materials.

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

There are no exceptions to the certification statement.