Supporting Statement

For

Request for OMB Approval

The Department of Education Accrediting Agency, Foreign Medical and Foreign Veterinarian Program

Comparability Database Approval

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. 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 Secretary of Education is required to publish a list of nationally-recognized accrediting agencies that have been determined to be reliable authorities regarding the quality of education or training offered by the institutions or programs they accredit. In determining whether a specific agency should be recognized, the Secretary evaluates the submission for compliance with the Criteria for Recognition contained in regulations. The collection of information is necessary for the Secretary to evaluate compliance with each of the criteria and to monitor the continued compliance with the criteria during any period of recognition granted. The collection described below is being submitted due to the approaching end of the 3 year approval period.

The authority for collecting this information is contained in the Higher Education Act of 1965, as amended (HEAs), and 34 CRF Part 602. The data is required to demonstrate compliance with criteria at 34 CFR 603 for State Agencies for the approval of vocational education and nursing education.

In addition, the Secretary is also required to collect and review the data of countries deemed to be following standards comparable to those outlined in 34 CFR 600.55 regarding foreign medical programs and 34 CRF 600.56 regarding foreign veterinary medical programs. The Secretary

issued regulations related to institutional eligibility under the HEA of 1965, amended, as they relate to Foreign Institutional Federal Student Aid Programs (final regulations published 10/1/10) to be effective 7/1/11. However, collection and review of information relating to the foreign veterinary medical programs 600.56 (a)(4) did not become effective until July 1, 2015. As a result, responses/respondents and burden hours related to the review of foreign veterinary medical programs are being added to the collection with this submission.

The Department of Education (Department) is requesting OMB review and approval for the revision of collection #1840-0788. Data collection and burden for this collection are related to requirements from 34 CFR 602, 34 CFR 603, 34 CFR 600.55, and 34 CFR 600.56. Respondents and burden are being added for foreign veterinary medical programs (34 CFR 600.56) since these reporting requirements just went into effect 7/1/15. However, for this submission the overall burden is being reduced (being considered as an adjustment) from the currently approved collection due to an overstatement of respondents/responses and burden hours in this currently approved collection. This overall reduction in burden is primarily due to the burden not being provided on an annual basis in the past.

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.

Information accrediting agencies must submit to ED is utilized for taking actions on deficiencies, and for notifying the Secretary of systemic non-compliance with the agency's policies. Institutions accredited by accrediting agencies recognized by the Secretary are eligible to seek and to participate in Title IV, HEA programs (38 of the 62 agencies) are expected to assess institutions to determine if they have made credit hour determinations for title IV, HEA program purposes that meet at least the minimum standards in the definition of a credit hour in 34 CFR 602, in light of commonly accepted practices in higher education.

In determining compliance with this regulation, the Department reviews the agency's/country's narrative describing how it complies with the criteria, and supporting documentation (such as its credit hour policies and procedures, guidance it provides to institutions, an institution's self-study, and the agency's report of its onsite review).

This data is required from the accrediting agency to demonstrate compliance with criteria at 34 CFR 602; State agencies for the approval of vocational education to demonstrate compliance with the criteria at 34 CFR 603; State agencies for the approval of nurse education to

demonstrate compliance with the criteria published in the 1969 Federal Register notice; foreign medical accrediting entities in accordance with criteria 34 CFR 600.55; and criteria established by Department staff to evaluate foreign veterinary accrediting organizations in accordance with 34 CFR 600.56.

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 Department has implemented a web-based, electronic information collection system that allows for the submission of applications for comparability or recognition and compliance reports electronically. The system allows the attachment of supporting documents in PDF format as well. If some of the material an agency needs to submit with its application is available on the agency's website, the agency can inform Department staff and provide the web address.

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 is not obtained through any other means within the Federal government. The information on agencies is collected only through the country/accrediting agency recognition process the Department administers.

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.

Collection of this information does not involve small businesses or other 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.

Not collecting the information or collecting the information less frequently would jeopardize the accreditation process by not allowing the Secretary to obtain the information needed to determine compliance with 34 CFR Part 602, subpart B; 603; 600.55 and 600.56, and the nurse education criteria. This would also jeopardize the students' ability to receive Title IV Federal Student Aid; participate in non-Title IV programs; and ensure that the accrediting organization is a reliable authority regarding the quality of education offered at the institutions they accredit. The collection requirements and necessity to review countries every 6 years and accrediting agencies every 5 years are statutory. State agencies are reviewed every 4 years which is also a statutory requirement.

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 would cause an information collection to be conducted in a manner consistent with any of examples listed above.

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.

Under the Administrative Procedure Act (APA) (5 U.S.C. 553), the Department is generally required to publish a notice of proposed rulemaking and provide the public with an opportunity to comment on proposed regulations prior to establishing a final rule. In addition, all Department regulations for programs authorized under the Title IV, HEA programs are subject to the negotiated rulemaking requirements of section 492 of the HEA. Public comment is solicited through the notice of proposed rulemaking. The data collection consists of the criteria for recognition (regulations) that result from a negotiated rulemaking process. The process takes

place on an irregular basis following a change in the governing statute or decision by Department leadership to engage in negotiations.

The 60-day Federal Register notice was published on September 30, 2015. To date only two public comments have been received. One was a statement from an anonymous source so no response could be sent. The second comment that was received did not relate to this collection and has been forwarded to the appropriate office to handle. A 30-day FR Notice will also be published before the collection is sent to OMB.

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

The Department does not provide any payment or gift to an accrediting agency that applies for recognition.

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. 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 confidentially of the data.

No assurances of confidentiality are given to the countries/accrediting agencies other than those provided under 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. 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.

There are no questions of a sensitive or private nature in the information to be collected.

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.**

Data collection and burden for this collection are related to requirements from 34 CFR 602, 34 CFR 603, 34 CFR 600.55, and 34 CFR 600.56. Respondents/responses and burden are being added to this collection for foreign veterinary medical programs (34 CFR 600.56) since these

reporting requirements have just gone into effect 7/1/15. However, overall burden is being reduced in this collection (being considered as an adjustment) from the currently approved collection due to an overstatement of respondents/responses and burden hours in the currently approved collection. This overall reduction in burden is primarily due to a correction being made because the burden was not provided on an annual basis in the past.

The estimate of the additional burden on accrediting agencies to collect information for the section of the regulations is as follows:

The number of accrediting agencies (not-for-profit associations) that respond to the information collection is 62. This provision applies to all 62 agencies in this group [38 are institutional accrediting agencies that are recognized for Title IV purposes]. The five State agencies for the approval of vocation education also accredit for Title IV purposes.

Burden for requiring agencies to report to the Department on their compliance with the credit hour regulations

62 agencies x 2 hours	**124 hours**

Burden for requiring institutional accrediting agencies to establish new credit hour review policies and procedures

38 agencies x 10 hours	**380 hours**

The estimate of the additional burden on foreign medical countries to collect information for the section 34 CFR 600.55 of the regulations is as follows:

Burden for requiring agencies to report to the Department on their comparability with the CFR §600.55

23 agencies x 12 hours	**276 hours**

The estimate of the new burden being added (effective 7/1/15) for foreign veterinary medical programs to collect information for compliance with 34 CFR 600.56 of the regulations is as follows:

Burden for requiring foreign veterinary programs to report to the Department on their compliance with CFR §600.56

4 agencies x 12 hours **48 hours**

The rationale used in determining the burden:

The estimate of the burden on agencies to develop credit hour policies and procedures is based upon information provided by a small sample of accrediting agencies and then applied to all accrediting agencies. The Department believes this estimate is reasonable.

The estimate of the burden on agencies to report to the Department on their compliance with the credit hour regulation was based upon the additional time needed to describe in its petition its policies and procedures and to upload relevant documentation. This is a standard part of the application process; all respondents are already required to respond to a large number of criteria. The estimate is based upon information provided by a small sample of accrediting agencies and then applied to all accrediting agencies. The Department believes this estimate is reasonable.

Summary for the current and proposed burden:

Current approved burden: 4885 hours
Proposed burden hours for this collection is 828 hours
Proposed burden decrease: - 4,057 hours

Current approved responses: 167 responses
Proposed responses for this collection: 127 responses
Proposed overall reduction in responses is - 40 responses

The estimated costs to accrediting agencies and institutions:

To estimate the cost to respondents, the Department used wage information from the Bureau of Labor Statistics. The July 2015 total private education and health services average hourly earnings of $25.20 was used as the hourly rate to monetize the burden of these provisions.

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.**

There are $0 startup costs associated with this collection. Any other costs associated with burden related to this collection are discussed in section 12.

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.

There is no direct cost to the Federal government to collect the information agencies must submit.

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).

Data collection and burden for this collection are related to requirements from 34 CFR 602, 34 CFR 603, 34 CFR 600.55, and 34 CFR 600.56. Four respondents/responses and 48 burden hours are being added to this collection for foreign veterinary medical programs (34 CFR 600.56) since these new reporting requirements have just gone into effect 7/1/15. However, for the overall collection, burden is being reduced from 4885 currently approved burden hours to 828 burden hours requested for this revised collection (this - 4105 reduction is considered as an adjustment) due to an overstatement of respondents/responses and burden hours in the currently approved collection. This overall reduction in burden is primarily due to a correction being made because the burden was not provided on an annual basis in the past.

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 department does not formally publish any of the information it collects from accrediting agencies. However Department staff does prepare an analysis of an agency's compliance with

the criteria for recognition, based in part on the information that the agency submits in its application for recognition. That analysis is presented to the National Advisory Committee on Institutional Quality and Integrity when that body meets to review the agency's application. That analysis is available to the public electronically via the web.

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 department seeks approval not to display the expiration date for OMB approval of the information collection because the Department does not use a form to collect the information. The Office of Postsecondary Education/Accreditation division currently displays and will continue to display the OMB Control Number for this collection on the website used by accrediting agencies to submit recognition petitions.

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

No exception is requested.

B. Collections of Information Employing Statistical Methods

The collection of information does not employ statistical methods.