

## 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. Please limit pasted text to no longer than 3 pages. 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.**

This is a request to extend approval of the collection from all eligible States and outlying areas the State plans required under Title I of the Carl D. Perkins Career and Technical Education Act of 2006 (Perkins IV) (P.L. 109-270), as well as, for those States and outlying areas that fail to meet 90 percent of their performance levels for an indicator for three consecutive years, periodic reports on their progress in implementing the improvement plans required by section 123(a)(1) .

Funds appropriated under Title I of Perkins IV for State grants are allotted by formula to States and outlying areas. In order for a State or outlying area to receive an allotment, it must submit to the Secretary of Education (Secretary) a State plan that meets the requirements of section 122 (c) of Perkins IV. Each State and outlying areas also must reach agreement with the Secretary on levels of performance for the core indicators of performance established in section 113 of Perkins IV; these agreed-upon levels of performance are incorporated in the State plan. Under section 103(a)(2) of the Workforce Innovation and Opportunity Act (WIOA)(Public Law 113-128) , States also have the option of submitting their Perkins IV State plan as part of a Combined State Plan that also includes the core programs under WIOA.

Perkins IV authorized appropriations from Fiscal Year (FY) 2007 through FY 2012 and required States to submit a 6-year State plan or, for FY 2007 only, a one-year transition plan followed by a 5-year plan. When Congress failed to act to reauthorize the law for FY 2013, the authorization of appropriations for Perkins IV was extended one additional year by the contingent extension of programs authority in section 422 of General Education Provisions Act. The authorization of appropriations for FY 2014 and the succeeding fiscal years has been enacted by Congress through the appropriations process. In each year since FY 2012, the Department of Education (ED) has asked States to submit annually a request to extend the approval of their State plans, along with any revisions to their State plans that they deem appropriate and proposed performance levels for the core indicators of performance.

Section 123(a)(3)(A)(iii) authorizes the Secretary, after notice and opportunity for a hearing, to withhold from a State all or a portion of its allotment if it fails to meet at least 90 percent of an agreed upon performance level for the same core indicator of performance for three consecutive years. The Secretary has opted against withholding funds from these States, but has imposed conditions on their grant awards that require

States to report periodically on their progress in implementing the improvement plans required by section 123(a)(1) and other measures to improve their performance. This collection includes these periodic reports.

- 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.**

Staff members of the Division of Academic and Technical Education, Office of Career, Technical, and Adult Education review the State plans to determine compliance with the Act, as required by section 122 of Perkins IV. The State plans also are used as a source of information for policy analysis and for responding to inquiries from members of Congress and others. States cannot receive their Perkins IV allotments without an approved State plan.

- 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.**

ED encourages all States and outlying areas to submit their State plans electronically.

- 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.**

This is a unique collection; there are no similar data collections which seek this information.

- 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.**

The collection does not impact 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.**

The State plan serves as the basis for awarding each State and outlying area its Perkins IV allotment; these funds could not be awarded without this collection. .

- 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.**

No such circumstances exist.

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.**

The Department published a 60-and-30-day FRN with no public comments received during the 60-day comment period.

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 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. 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). 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.**

There are no assurances of confidentiality.

**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 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.**

We estimate that 56 responses from eligible States and outlying areas will be received annually. As indicated in the table below, we estimate that the number of burden hours per response will be 40 hours. The total estimated number of burden hours per year will be 2,240 hours.

Year	Estimated Number of Responses	Type of Staff	Estimated Number of Burden Hours Per Response	Total Estimated Number of Burden Hours
2017	56	Professional	35	1,960
		Clerical	5	280
		TOTAL	40	2,240
2018	56	Professional	35	1,960
		Clerical	5	280
		TOTAL	40	2,240
2019	56	Professional	35	1,960
		Clerical	5	280
		TOTAL	40	2,240

We estimate the total cost per hour of the professional staff who will carry out this work to be \$54.34 per hour, the mean hourly compensation cost for State and local government workers who were in management, professional, and related occupations in March 2016. We estimate the total cost per hour of the clerical staff who carry out this work to be \$31.45 per hour, the mean hourly compensation cost for State and local government workers who were in sales and office occupations in March 2016.<sup>1</sup> The total annualized cost to respondents of the hour burdens for this collection is estimated to be \$115,312.40, as indicated in the table below.

<sup>1</sup> *Employer Costs for Employee Compensation*, March 2016 (2016). Washington, DC: Bureau of Labor Statistics, U.S. Department of Labor. Retrieved on June 14, 2016 from: <http://www.bls.gov/news.release/pdf/ecec.pdf>

Year	Type of Staff	Total Estimated Number of Burden Hours	Estimated Hourly Cost	Total Costs
2017	Professional	1,960	\$54.34	\$106,506.40
	Clerical	280	\$31.45	\$8,806.00
	TOTAL	2,240	-	\$115,312.40
2018	Professional	1,960	\$54.34	\$106,506.40
	Clerical	280	\$31.45	\$8,806.00
	TOTAL	2,240	-	\$115,312.40
2019	Professional	1,960	\$54.34	\$106,506.40
	Clerical	280	\$31.45	\$8,806.00
	TOTAL	2,240	-	\$115,312.40

**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:**

The total for the capital and start-up cost components for this information collection is zero. The information collection will not require the purchase of any capital equipment nor create any start-up costs. Computers and software used to complete this information collection are part of the respondents' customary and usual business or private practices, and therefore is not included in this estimate. The total operation and maintenance and purchase of service components for this collection is zero. The information collection will not create costs associated with generating, maintaining, and disclosing or providing the information that is not already identified in question 12 of this supporting statement.

**14. 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.**

As indicated in the table below, the estimated annualized cost to the Federal government is \$24,001.60. This includes salaries of program staff who review State plans and State plan revisions.

Year	Number of Employees	Employee Grade	Estimated Number of Hours Per Employee	Total Number of Estimated Hours	Estimated Hourly Cost	Total Annualized Costs
2017	3	GS-12	40	120	\$52.17	\$6,260.40
	5	GS-13	40	200	\$44.15	\$8,830.00
	6	GS-12	40	240	\$37.13	\$8,911.20
					TOTAL	\$24,001.60
2018	3	GS-12	40	120	\$52.17	\$6,260.40
	5	GS-13	40	200	\$44.15	\$8,830.00
	6	GS-12	40	240	\$37.13	\$8,911.20
					TOTAL	\$24,001.60
2019	3	GS-12	40	120	\$52.17	\$6,260.40

	5	GS-13	40	200	\$44.15	\$8,830.00
	6	GS-12	40	240	\$37.13	\$8,911.20
					TOTAL	\$24,001.60

**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).**

There are no program changes or adjustments to the annual burden inventory for this collection of data. There is however an adjustments to the annualized cost to respondents. Due to an apparent clerical error, the total annualized cost to respondents for this collection was recorded as zero when the collection was approved in 2013. We are correcting the error in this ICR using 2016 Bureau of Labor Statistics data on the mean compensation paid to State and local government workers in 2016.

**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.**

There are no plans for publication of data from this collection.

**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.**

We are not seeking this approval.

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

There are no exceptions to the certification statement identified in the Certification of Paperwork Reduction Act.