

**Ronald E. McNair Postbaccalaureate Achievement (McNair) Program
Summary of Public Comments on Proposed Changes to the
2015-16 McNair Annual Performance Report (APR)
Following 60-Day Review Period**

On July 22, 2016, the Department of Education (Department) published a Notice of Proposed Information Collection Request (Notice) in the Federal Register inviting comments by August 22, 2016, on the proposed annual performance report (APR) for the Ronald E. McNair Postbaccalaureate Achievement (McNair) Program. The Department received comments from thirty (30) individuals. The majority of the comments were related to the new data fields proposed, with specific attention to the fields related to research and other scholarly activities. To this end, the Department reviewed each of the comments and concerns and provided responses as well as made revisions to the APR, where applicable.

A summary and discussion of the comments on the proposed McNair APR as well as information on the actions taken follows. Some minor changes to the APR that are of a technical nature (e.g., typographical errors) are not discussed below but have been made to the revised form and instructions.

General Comments on the reporting requirements

“Gap” Year Rumor

Comments: One commenter expressed concern regarding "rumors" that the Department may be considering providing some sort of "gap" year (s) in the next McNair competition to permit graduating seniors to take time off to consider applying to graduate school. They asserted this would significantly undermine the program because the existence of McNair is predicated on the fact that the populations served do not historically attend graduate school. They noted that McNair provides a great and supportive path for these students to get them in the pipeline immediately upon completion of their undergraduate degree, and those scholars who do not apply to attend right away risk not attending in the future.

Discussion: The Department has no plans to institute a “gap” year for graduating seniors to enter graduate school for reasons such as those mentioned in the commenter’s concerns. In addition, §647.22(e)(3) mandates that graduate enrollment be assessed as immediate enrollment in graduate school after the completion of the baccalaureate degree (i.e., by the fall of the next academic year); therefore, there is no gap year to be provided in the upcoming competition because neither the statute nor the regulations allow for this assessment.

Action Taken: None

Data Comparison Challenges

Comments: Several commenters expressed concern that the proposed changes to the APR will make it impossible to compare the data collected over the five year period for this grant cycle.

They asserted it would be more prudent to wait until there was a new grant cycle so that continuity could be maintained especially if the data will be used for comparative analysis. Additionally, if the proposed changes occur, they note that it would add 29 new fields or sub-fields of data to the current 48, thereby increasing the scope of the APR significantly. One commenter expressed concerns regarding changes that are made to the reporting structure and/or content after the academic year has ended. They asserted that this makes initial data collection extremely difficult since any new data fields were not part of the data collection during the project year.

Discussion: The Department acknowledges fully the commenters' concern. The McNair Program APR information collection expires on November 21, 2016. All data collection instruments must undergo a clearance process and approval by the Office of Management and Budget (OMB) every three years. Because the clearance process can be quite lengthy, requiring on average six (6) months, it is imperative that any changes needed to the APR be proposed for approval at the time the APR is undergoing clearance. Failure to make the required revisions to the APR would require ED to resubmit the package into the clearance process within 6 months after the most recent clearance.

Action Taken: Given the concerns expressed by the commenters, the Department will only make one change to the APR related to the assignment of a case number to each student on the grantee's APR data file. Please refer to field 49 for additional information regarding the future use of the student's case number as it relates to the student's social security number. All other proposed changes such as the addition of sub-fields #32 - #34 as well as disaggregating program services will not be implemented in this clearance process.

New Data Fields and Reporting Burden

Comments: Several reviewers expressed concerns regarding fields 32 through 34. One commenter noted that the addition of these fields increase the overall scope of the APR by almost a third. They asserted that completing the APR will now require even more time than previously, making it even harder for program staff to complete the APR while continuing to provide services to students. They noted that this is especially true given that the APR is usually open during the month of December, despite the fact that staff is often given university leave during the holidays, further shortening the time they have to complete the APR.

Furthermore, they asserted that these proposed fields are designed to remove the discretion that McNair directors have to assess the performance of their students. This appears to reflect a lack of trust by the Department in the staff of the McNair programs.

Discussion: With regard to the concerns expressed relating to increasing the overall scope of the APR as it relates to requiring grantees to report additional information, grantees should already have the current student information being requested on file and readily available should the need arise for verification purposes. Therefore, there should be no excessive burden of time imposed on grantees and no collection of student information required "after-the-fact" when reporting this information in the APR.

With regards to the comment regarding removing the project director's discretion on how to assess student performance by collecting benchmark information for the research/other scholarly activities fields, it was never the Department's intent to use this information when assessing Prior Experience (PE) points, but rather to use the information to gain a more holistic understanding of how projects operate their McNair program.

Action Taken: The Department will not, at this time, collect information on benchmarks related to research and other scholarly activities; however, the Department reserves the right to collect this information in the future.

Supporting Statement for Paperwork Reduction Act Submission

One commenter emphasized that the 11.5 hours that is the estimate of the amount of time it takes to prepare the McNair APR is only accurate in terms of how much time it takes to fill out the paperwork. They insist that additional hours must be devoted to trying to contact past participants from across the country in order to obtain accurate information in their continued graduate school enrollment and degree attainment.

Discussion: The burden estimate of 11.5 hours is not finite, rather it is an **approximation**. For example, some grantees may have different recordkeeping processes that enable them to collect the data and submit in less time (11.5 hours) while other grantees may take longer than 11.5 hours; therefore, the Department takes both into consideration when **estimating** the burden hours.

Action Taken: None

Dual Degree Programs Reporting and Prior Experience Point Calculations

Comments: One commenter noted that the APR does not allow for accurate reporting of special graduate programs. For example, they explained that there are dual Bachelor's and Master's degree programs that McNair Scholars participate in, but the APR and prior experience calculations only account for students who enroll into a graduate program after receiving a bachelor's degree. They recommended the Department consider flexibility in the responses to degree attainment dates (Field 28), Graduating Cohort Year of the Bachelor's Degree (Field 29), Date of First Graduate School Enrollment (Field 36) and subsequent Graduate School Enrollment Status and Persistence Status (Fields 38-39) to accurately report these participants who enroll in these dual-degree programs.

Discussion: During the FY2012 McNair competition grantees set their objectives based on very specific criteria. This information was provided by grantees in the Program Profile Sheet of their application. Section §647.22 of the program regulations as well as the Program Profile Sheet, explicitly establishes the timeframe for assessing graduate school enrollment. The timeframe is based two conditions: baccalaureate degree attainment and graduate school enrollment by the fall of the next academic year after receipt of the baccalaureate degree.

Furthermore, per instructions under “Definitions That Apply,” grantees are allowed to report on participants who are dually enrolled in both undergraduate and graduate studies if the participant has completed all of the baccalaureate degree requirements. The instructions state:

Bachelor’s Degree:

- Equivalent of a bachelor’s degree means any McNair participant who completed their undergraduate studies but did not earn a baccalaureate degree because their institution does not confer baccalaureate degrees until the student is enrolled in a graduate program or has completed their graduate studies.

Per statute, the graduate school enrollment, graduate persistence and doctorate are contingent upon the participant earning the bachelor’s degree or an equivalent of the bachelor’s degree; therefore, the Department does not have the discretion to change the statute absent program regulations.

Action Taken: None

SECTION II.C. PARTICIPANTS’ DEMOGRAPHIC INFORMATION

Field 8 – Gender

Comments: Several commenters expressed concerns regarding the term “gender” that is used in field 8. One commenter advised that the “term [gender] is a social construct that is represented by descriptive words. They added that “sex” is a biological designation represented by different words such as "Male" and "Female" and "Intersex." They suggested that if the McNair APR wishes to gather information on the gender of its student participants, the choices should reflect gender. They recommended that the Department phrase the question to accurately collect the needed information.

Discussion: The Department acknowledges fully the commenters’ concerns and recommendations; however, unlike race and ethnicity, currently there is no guidance provided at the Federal level on the appropriate terminology and options regarding a participant’s gender/sex; therefore, until the Department receives guidance, the use of the word “gender” and its accompanying options will remain on all of the APRs.

Action Taken: None

Field 9 - Ethnicity

Comments: One commenter asserted that regarding questions of ethnicity, there is inconsistent terminology in the APR:

- person of... culture or origin
- a person having origins in any of the original peoples
- person having origins
- origins in any of the original people
- a person having origins in any of the original peoples.

They recommended use of standard phraseology for these.

In addition, they asserted that there should be an option entitled “all that apply” for those participants who identify as belonging to more than one race.

Discussion: The Department must adhere to the categories and accompanying definitions per the guidance developed in 1997 by the Office of Management and Budget; therefore, we cannot deviate from set guidance.

Regarding the combinations of race and ethnicity, the APR allows grantees to report not only whether the participant identifies as Hispanic/Latino but also allows for reporting on more than one race.

Action Taken: None

SECTION II.E. PARTICIPANTS’ ENROLLMENT STATUS INFORMATION

Field 20 – Project Entry Date

Comments: One commenter suggested that field 20 be revised from “Project Entry Date” to a “Date Entered into Program” because the latter aligns with the next question for “entry into the project”.

Discussion: The information in the APR is project-specific and not program specific; that is, it relates to the participant’s experience for that particular project; therefore, the use of the word “program” is not appropriate. McNair is one of the TRIO **programs** and grantees are in the McNair program, thus to maintain continuity on the use of the words “project” and “program, the Department will retain the current terminology [project...] used in field 20.

Action Taken: None

Field 25 – Funding Source

Comments: One commenter noted that their proposal included recruiting what are called “early entry” participants, which are fully funded by local, non-grant funds. The commenter inquires as to whether there might also be an option for “fully supported by non-federal funds” and if a “choose all that apply” option is allowed.

Discussion: The Department acknowledges the commenters’ concerns and recommendations; however, the information collected in the APR is about McNair participation; therefore, while a participant may be supported partially with non-McNair funds, per the definition of what constitutes a McNair participant (refer to instructions for field 20), a student who is solely supported with non-McNair funds is not considered a McNair participant. If a student is supported entirely with non-McNair funds, the grantee should not include the student in the APR.

Action Taken: None

SECTION II.F. PARTICIPANTS' ACADEMIC AND DEGREE STATUS INFORMATION

Field 29 – Graduating Cohort Year of Bachelor's Degree

Comments: One commenter noted that a new option has been added to the list of available cohorts: 88 = *Earned a bachelor's degree in a previous reporting period but failed to report it at the time.* They further noted that while this is a welcome addition for individuals not placed in the correct cohorts, this raises the issue of how these students will be coded in the future. They inquired as to whether these students will count towards the doctoral degree attainment objective (i.e., assuming that doctoral completion is calculated based on being assigned to a cohort). They recommended providing a one-time exception (as is being done to other items), for students to be “cohorted” appropriately.

Discussion: Per longstanding reporting policy, all participants who earned a bachelor's degree must be reported as such in the year they earned the degree. This allows the timely calculation of Prior Experience (PE) points for the doctorate degree attainment. Without the ability to “freeze” the cohort sizes, the Department would not be able to calculate the doctorate degree attainment objective at the time of data submission. This option was added to field 29 because some grantees continue to fail to report a student as having earned a bachelor's degree in the year the student earned the degree (i.e., reporting period).

Regarding the question as to whether failure to correctly report the bachelor's degree will impact PE for the doctorate degree attainment, the answer is “Yes” because the participant would never have been placed in the correct cohort. However, option “88” has been added because while a grantee who fails to report the bachelor's degree at the time of attainment, grantees will be eligible to earn PE points for the graduate persistence objective, that is, should the student enroll in graduate school and persist by the fall of the next academic year.

Action Taken: None.

SECTION II.H. PARTICIPANTS' GRADUATE STATUS INFORMATION

Field 35 - Graduate Admission Testing

Comments: One commenter contended that it makes sense that the Department wants to know if the student took the Grad Admissions Test, but recommended also requiring grantees to report on what the McNair Program did to help prepare the student for the test.

Discussion: The purpose of field 35 was to allow for comparative analysis for determining graduate school intent and not to inquire about the types of services provided to students in preparation for the GRE since grantees cannot use McNair funds to pay for GRE prep courses.

Action Taken: None

Field 38 - Graduate School Enrollment Status

Comments: One commenter expressed a major concern with the terminology used in field 38 and the following question. They asserted that there are post-baccalaureate programs that students may enter but are not degree granting.

They asserted it would be best to maintain consistency in terminology here and in the following question by referring to a specific “graduate program” rather than using the more general “post-baccalaureate” program.

Discussion: The regulations under §647.7 define graduate education as “*studies beyond the bachelor's degree leading to a postbaccalaureate degree*”; therefore, the use of the word “postbaccalaureate” aligns with the regulations. More importantly, since the goal of McNair is the doctorate degree, a student enrolling in a postbaccalaureate non-degree program would not be considered as having enrolled and/or persisted in graduate school.

Action Taken: None

Field 39 - First Year Graduate Persistence Status

Comments: One commenter expressed concerns that an increasing number of Master’s programs at research institutions across the country are now nine-months or one-year programs. For example, the commenter stated that two McNair students could both enter a Master’s program and one attain their degree from a two-year program, yet the other attain their degree from a one year program. The commenter asserted that both students attained the same degree yet the student in the two year program would count as a positive outcome for the graduate school persistence objective while the other student would not. The commenter further asserted that research master's programs (e.g., M.A. in Education or M.Ed. at Stanford, Harvard, etc), are all one-year or nine-months in length. The commenter recommended adding a response option to field 39 that indicates Master's degree completed or degree-attained of an equivalent of a two-year, postbaccalaureate program.

Discussion: The goal of McNair is the attainment of the doctorate degree; therefore, the duration of the Master’s program is not relevant to the ultimate goal; it is the secondary, but not the primary measure.

Regarding the addition of another option to capture information on participants who are in an accelerated program (e.g., nine months to a one year), field 39, option 3 does allow for this type of reporting.

Action Taken: None

Field 39 – First Year Graduate Persistence Status

Comments: In order to clarify what is meant by “graduate studies” (i.e., postbaccalaureate degree-granting), one commenter requested revisions to the terminology for field 39, First Year Graduate Persistence Status.

Discussion: Duly noted

Action Taken: The Department has revised the “NOTE” in field 39 and included the definition of “graduate studies”.

Field 44 - Graduate Degree Earned

Comments: One commenter noted a typographical error in the NOTE contained in field 44, as follows: " ... please contact the institution whether (sic) the doctorate ... " that this appears to be a mistake. They recommended replacing "whether" with "where."

Discussion: Duly noted

Action Taken: Change “whether” to “where”.

SECTION II.J. SERVICES PARTICIPANTS RECEIVED

Comments: Fields 49-55: One commenter noted they have appreciated the more streamlined reporting on services in Section I, Part 2 Project Services that have been implemented within the last several years, yet because grantees must document this information for each participant to provide accurate counts, it is not a problem to return to the student-level reporting. However, several commenters voiced concerns regarding disaggregating the services to the student-level because they feel it would pose a reporting burden.

One commenter indicated that the bulk of most mentoring probably occurs in the summer (especially for those that have summer research programs within their McNair Program). They asked if the summer is considered as part of the academic year or is the academic year exclusive of the summer?

One commenter asked if the academic year is the same as the funding year (August/September to September 30 of each year). They presumably asked this question because each program provides a stipend, but the amount, disbursements, and benchmarks vary accordingly. They stated that the full amount of a student's stipend is not necessarily disbursed throughout the academic year and may extend into 2 academic years. Therefore, they asked whether they must report the stipend amount that is allocated per each student per their grant OR do they literally provide the amount given to each student within an academic year.

Discussion: Regarding disaggregating the program services at the student-level, as one commenter noted, since grantees must document this information for each participant served, collecting this information at the student-level should not pose undue burden. Furthermore, grantees should ensure that they properly document and maintain participant information (e.g., services rendered) for each student that was served.

Regarding the comment related to whether the summer is considered part of the academic year, per the instructions in the APR, an academic year encompasses the 12-month academic year of the grantee institution which in most instances is roughly August/September through July/August of the next year (e.g., September 1, 2015 through August 31, 2016). Based on these instructions, the summer would be considered as part of the academic year.

Regarding whether the academic year is the same as the funding year (August/September to September 30 of each year), the answer is “No.” Per the APR instructions, the academic year is the 12-month academic year of the grantee institution while the budget/funding year is the 12-month budget year for the grant. For example, the 2015-16 academic year is roughly August/September 2015 through July/August 2016 while the budget year for most McNair grants is October 1, 2015, through September 30, 2016.

Action Taken: After considering the numerous comments received, the Department will collect the services at the program-level and not the student-level.

Comments: One reviewer commented, regarding #50 tutoring services, that McNair provides tutoring and refers students to campus tutoring services, but noted that not all students need tutoring services and do not necessarily pursue these services or "receive" them. They recommended that this field should indicate that McNair offered or referred students to tutoring services, as opposed to being penalized if a student did not participate in and/or received tutoring services.

Discussion: A grantee is not penalized if they offered a service to a student and the student refused the service. Tutoring is a required service in the McNair Program; however, while grantees must make tutoring available, individual participants may choose whether or not to receive the service.

Action Taken: None

Comments: One commenter stated that it might help with accuracy of reporting to remind/specify the type(s) of counseling (e.g., academic and/or psychological) in the instructions for **field 51**.

They recommended dividing field 52 into two fields to allow for specific reporting on these two different, but related, services; or use "or" to allow reporting on either.

Discussion: The service related to counseling as it appeared in the proposed APR was incorrect. Per statute, counseling is solely related to academic counseling and not personal and/or career counseling.

Action Taken: Revised the service “Counseling” to “Academic Counseling”.

Stipend

Comments: One reviewer asked the purpose of collecting stipend information (field 56) since the regulations do not allow McNair projects to provide more than \$2,800 per participant. They noted that some McNair projects do provide monetary assistance beyond the \$2,800; however, these funds are not McNair dollars.

One commenter strongly encouraged the Department to increase the ceiling from the current \$2,800 amount that scholars can be compensated to at least \$3,500 or more in order to be more competitive to all the other research programs in existence across the country. They emphasized that they have not seen any research programs paying less than \$3,500 and some go as high as \$4,000.

Discussion: The Department acknowledges fully the commenters' concerns.

Regarding the purpose of collecting the amount of the stipend received by participants, the Department has deleted this field from the proposed APR since it appears, based on the comments received, that most students receive the maximum allowable amount of \$2,800.

Regarding increasing the allowable amount of \$2,800 to \$3,500, in accordance with the McNair Program statute, 20 United States Code Chapter 28, Subchapter IV, Part A, subpart 2, Division 1, section 1070a-15, subsection f, "[s]tudents participating in research under a project under this section may receive an award that - (1) shall include a stipend not to exceed \$2,800 per annum; and (2) may include, in addition, the costs of summer tuition, summer room and board, and transportation to summer programs."

Thus, the stipend level is established by the statute and cannot be changed, except through the process of negotiated rulemaking by the Department towards statutory reauthorization, which is not underway currently. However, grantees are permitted to add as much support as possible to the McNair Program \$2,800 stipend amount for each student participant through the use of non-federal (e.g., state, institutional, etc.) funds.

Action Taken: Deleted the field 56 (Stipend) from the proposed APR.

Comment: One reviewer noted that many of the scholarly activities a graduate student might partake in that are separate from research and thus could be classified as "Other" (e.g., tutoring math, mentoring, etc.) are the activities that are reported as the new fields 49, 50, 51, 54, and 55.

Discussion: Per §647.7, "other scholarly activities" is defined as (1) an educational activity that is more rigorous than is typically available to undergraduates in a classroom setting, (2) that is definitive in its start and end dates, (3) contains appropriate benchmarks for completion of various components, and (4) is conducted under the guidance of an appropriate faculty member with experience in the relevant discipline. Based on the regulations, tutoring and mentoring do not meet the criteria listed above and therefore are not considered "scholarly activities."

Action Taken: None