

SUPPORTING STATEMENT

FOR PAPERWORK REDUCTION ACT SUBMISSION

OMB Number: 1810-0724

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.**

The Consolidated State Performance Report (CSPR) is the required annual reporting tool for each State, the Bureau of Indian Education, District of Columbia, and Puerto Rico as authorized under Section 8303¹ of the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA). The CSPR collects data on programs authorized by:

- Title I, Part A;
- Title I, Part C;
- Title I, Part D;
- Title II, Part A;
- Title III, Part A;
- Title V, Part A;
- Title V, Part B, Subparts 1 and 2; and
- The McKinney-Vento Act.

The information proposed for collection relate to the performance and monitoring activities of the aforementioned programs and are needed for reporting on GPRA as well as other reporting requirements under ESSA.

This submission is a request to renew the currently-approved CSPR collection (OMB 1810-0724). There are significant and substantive changes between this collection and the SY2016-17 collection. The CSPR has been restructured in order to collect the data necessary to successfully determine the effectiveness of the programs included within the CSPR and to align to the requirements of ESSA. The two major changes are:

1. Sections no longer applicable under ESSA have been eliminated
2. Remaining sections have been revised and new sections created in order to align to ESSA

- 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.**

In general, the Department uses the information derived from the CSPR to: (1) monitor and report its progress in meeting *Strategic Plan* goals; (2) assess and report individual program performance; (3) monitor States' implementation of the ESEA and the extent to which States are meeting program and accountability goals; (4) identify areas for technical assistance to States and overall program improvement; (5) inform policy and program improvement; and (6) inform other reporting and program evaluation requirements.

The program office will use the information to monitor compliance and to obtain a clear understanding of the needs of States to inform program office technical assistance initiatives.

- 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.**

All responses are collected electronically via the ED*Facts* Submission System. Over 70% of CSPR responses are populated with data already approved by OMB via the ED*Facts* Data Collection (OMB Control Number: 1850-0925). The ED*Facts* Submission System allows each State Education Agency (SEA) to submit data in the most automated, electronic format that the technology of that specific SEA can currently support. Provisions were made to receive data in multiple formats to ensure the least possible burden on each of the participants.

The remainder of the questions is considered "manual entry" and values are entered into fields in a reporting tool within the EDEN Submission System. Once states have completed their submission, they electronically certify that it is accurate.

- 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.**

In order to reduce duplication of information, the majority of the questions in the CSPR are pre-populated with data from ED*Facts*.

- 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.**

Small businesses or other small entities are not impacted.

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 proposed data collection includes information necessary for a report to Congress that is required to be submitted on an annual basis and GPRA data that is required to be collected for multiple grant programs. If the information is not collected, data on key aspects of elementary and secondary education programs will not be available. Consequently, the Department would be unable to meet statutory and regulatory requirements for collection and reporting of data on grantees' activities and outcomes.

The information collected is used to provide data on education to the public through websites, such as ED Data Express, one of the Department's initiatives under the Department's Open Government Plan, and ad-hoc reports for education researchers. Data informs monitoring and technical assistance efforts.

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 special circumstances exist that would cause the information collection to be conducted under any of the circumstances described 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.

Individual program offices and principal offices consult with State officials, SEA leadership, and CSPR and ED*Facts* coordinators on their information collections. Consultations occur through ongoing program monitoring and technical assistance, program related conferences, data conferences, Webinars and teleconferences, which enable ED to ascertain the availability and quality of the required data.

ED published both a 60-day and 30-day Federal Register Notice to solicit comment from the public. The 60-day comment period for the package closed on January 2, 2018. ED received a total of 12 comment submissions covering multiple topics. A total of 85 individual comments were received from the 12 submissions. All the submissions came from states.

Attached is a summary of the public comments received. Each section provides either a summary of the public statements received, or the actual text received in a comment, ED's response to those statements, and any resulting changes being made to the proposed data collection package. In addressing the public statements and revising the package, ED focused on recommendations from the public statements that continue to move CSPR forward in achieving the goals of consolidating collections, obtaining high quality data, and reducing burden on data suppliers.

ED appreciates the time and attention the public spent on reviewing the CSPR package and in composing thoughtful comments that shape the final data set, as evidenced in this attachment. ED reviewed, summarized, and documented each individual statement prior to analyzing all statements for common themes. This documentation will aid in the finalization of this data clearance package and will serve to inform future policy decisions regarding CSPR.

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

No payment or gift of any kind will be provided 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.**

The data collected through the CSPR are aggregated and not about individual students.

- 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.**

The information collection does not include questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. The education data collected will only consist of information about states, school districts, and schools.

- 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.**

Previously, the total annual reporting and recordkeeping burden for the SY 2016-17 CSPR collection was estimated to be 11,687. The annual burden to each of 53 SEA respondents for the CSPR collection was estimated to be 30.84 hours. The Department is estimating an increase in burden due to the new requirements under ESSA. SEAs may need to spend additional time preparing for the CSPR as a result of the new and revised data being collected. As a result, the burden for the SY 2017-18 collection is increased to 34.84 hours per SEA. The combined burden to States for this information collection will be 1,846.52 hours. The LEA burden will also increase to 1 hour. The total new estimated burden will be 16,446.52.

Burden Estimate SY 2017-18 Collection			
CSPR Part I and II	SEA Burden hours	LEA Burden hours	Total
Approximate # of agencies	53	14,600	14,653
Average burden per agency	34.84 hours	1 hour	
Total for 1810-0724	1,846.52 hours	14,600 hours	16,446.52

The average hourly rate for staff in each of the SEAs and LEAs to prepare the responses to this information full collection, including proposed amendments is estimated to be \$24.00. Therefore, the total cost of the collection is estimated as \$394,716.48, which is equivalent to 16,446.52 X \$24.00.

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: 0

Total Annual Costs (O&M): 0

Total Annualized Costs Requested: 0

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.

The cost to the Federal government, beyond the efforts normally associated with Department staff conducting program monitoring, would be to review the submitted data that each State submits to complete their CSPR.

The Department estimates the following: ten people, GS-13, two hours, X 53 SEAs =

1,060 hours X 45.42 per hour=\$48,145.20.

- 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 is a program change burden increase of 4,760 annual burden hours due to the new reporting requirements under ESSA. The Department expects that SEAs may need to spend additional time preparing for the SY2017-18 CSPR as a result of the new and revised data being collected. The Department also expects that burden will decrease in subsequent years once the SEAs are accustomed to the new report.

- 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.**

SEAs will be asked to submit Part I of the SY 2017-2018 CSPR to the Department in December 2018. Part II of the CSPR will be due in February 2019. After State submissions have been received, ED program staff will conduct a data quality review. During the review, SEAs will have the opportunity to correct and resubmit final data. Data quality review for Part I will be completed by April 2019. Part II data quality review will be completed in May 2019. After final data have been certified by SEAs, ED will ensure that appropriate privacy protections have been applied to the data. Once the documents are ready, ED will publish each SEA's CSPR on our website at www.ed.gov. Reports will be posted in summer 2019.

- 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.**

Approval to not display expiration date has not been requested.

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

No exceptions were identified.

¹ SEC.8303. Consolidated Reporting – (a) In general: In order to simplify reporting requirements and reduce reporting burdens, the Secretary shall establish procedures and criteria under which a State educational agency, in consultation with the Governor of the State, may submit a consolidated State annual report. (b) Contents: The report shall contain information about the programs included in the report, including the performance of the State under those programs, and other matters as the Secretary determines are necessary, such as monitoring activities. (c) Replacement: The report shall replace separate individual annual reports for the programs included in the consolidated State annual report.