

**SUPPORTING STATEMENT FOR
PAPERWORK REDUCTION ACT SUBMISSION
OMB No.1810-0686
MIGRANT EDUCATION PROGRAM (MEP)
MIGRANT STUDENT INFORMATION EXCHANGE**

A. Justification

Q1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

A1.Regulations for the Migrant Information Exchange (MSIX), effective on June 9, 2016, were issued by the U.S. Department of Education. The MSIX, a nationwide, electronic records exchange mechanism mandated under Title I, Part C of the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA). As a condition of receiving a grant of funds under the Migrant Education Program (MEP), each State Educational Agency (SEA) is required to collect, maintain, and submit minimum health and education-related data to MSIX within established timeframes. MSIX is designed to facilitate timely school enrollment, grade and course placement, accrual of secondary course credits and participation in the MEP for migratory children. Additionally, the regulations help the Department to determine accurate migratory child counts and meet other MEP reporting requirements. The MEP is authorized under sections 1301-1309 in Title I, Part C of the ESEA. MSIX and the minimum data elements (MDEs) are authorized specifically under section 1308(b) of the ESEA, as amended

The Department is requesting approval to extend the 1810-0686 information collection that supports statutory requirements for data collection under Title I, Part C MEP. The purpose of the MSIX User Application Form is to collect user directory data to verify the identity of users in order to grant access to the MSIX system for the purpose of transferring migrant student data. The application collects information on an MSIX user's identity, title/position, work address, work telephone, email, and role.

Q2. 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

A2. The information that is collected on the MSIX User Application Form is entered into MSIX by the User Administrator to be maintained in MSIX.. The information is used to verify the requester's identity, intended use and the appropriate level of access to MSIX information. This information is used in compliance with Federal Information Security Modernization Act of 2014 (FISMA) requirements for identification, authentication and authorization of every user of a federal information management system. The users' contact information is used by the MSIX technical support team to communicate system updates, send system generated notifications, conduct customer support calls, and to conduct customer satisfaction surveys.

Q3. 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 of using information technology to reduce burden.

A3. The State User Administrator can download the form provided in the MSIX User Access Guide and Application from the MSIX system at <https://msix.ed.gov/msix/#/requestAccount>. In order to reduce burden, participating MEP States may choose to consolidate access request forms with State operated migrant specific database system. Information collected on the form is entered into MSIX by the User Administrators. Automated or other technological collection techniques are under consideration, pending funding availability.

Q4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use of the purposes described in Item 2 above.

A4. The MSIX information collection will not duplicate (or otherwise include) the burden of other information collections. The users of MSIX are a uniquely State-identified set of users for each State. There is no other collection of the names and work addresses for individuals that have been identified as needing access to MSIX for the purposes of enrollment, placement and accrual of credits for migratory children in each state.

Q5. If the collection of information impacts small businesses or other small entities.

A5. Small business and/or small entities are not impacted by this data collection.

Q6. 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.

A6 . Consequences are as follows:

- (1) MSIX, a major information technology (IT) investment for the Office of Elementary and Secondary Education (OESE) at the Department, would be out of compliance with the National Institute of Standards and Technology (NIST) Special Publication (SP) 800-53, revision 4, Security and Privacy Controls for Federal Information Systems and Organizations;
- (2) There would be no record of authorized users of the MSIX system;
- (3) There is no way to be assured that only approved personnel in the States are using the MSIX system;
- (4) There would be no way to assure all authorized personnel have been granted the correct level of access;
- (5) Inability to effectively disable/deactivate MSIX accounts due to attrition, job role changes, or lack of activity.

Q7. Explain any special circumstance that would cause an information collection to be conducted in a manner:

- *requiring respondents to report information to the agency more often than quarterly;*
- *requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;*
- *requiring respondents to submit more than an original and two copies of any document;*
- *requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;*
- *in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;*
- *requiring the use of a statistical data classification that has not been reviewed and approved by OMB;*
- *that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or*

• requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

A7. There are no special circumstances.

Q8. If applicable, provide a copy and identify the date and page number of publication in the *FEDERAL REGISTER* of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and 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.

A8. The Coordination Working Group (CWG) is a group consisting of nine (9) State Directors, chosen by their region, to provide feedback and recommendations to the Office of Migrant Education (OME) regarding the Migrant Education Program. The representatives were consulted in November 2017, regarding MSIX Accounts Management processes and the use of the MSIX User Application Form. Representatives were invited to solicit comments from States across their region to bring to OME's attention and consideration.

ED published both 60- and 30-day notices seeking comments; there were two public comments received and OME has attached the comments and responses. Comments were used as applicable to finalize the data collection.

Q9. Explain any decisions to provide any payment or gifts to respondents, other than remuneration of contractors or grantees.

A9. No gifts or payments will be provided to respondents.

Q10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulations, or agency policy.

A10. Data collected on the MSIXMSIX User Application Form defined as "directory information" and is public information. Directory information is defined as a user's name, work address, work telephone, email address, role and access level, which is used only to grant that person access to MSIX. All persons who access MSIX must read and affirm acceptance of the MSIX Rules of Behavior, which is a detailed description of the safeguards that each system user must comply with in order to protect the privacy and security of the information. The Department published the Migrant Student Information Exchange (MSIX) User Application Form SORN in FR 72 68572. The privacy notice included on the application form states that without the respondent's consent, the Department may disclose information provided to entities under a published "routine use." Under such a routine use, we may disclose information:

1) To a third party contractor that we have hired to perform any function that requires disclosure of records in this system to employees of the contractor;

2) To a researcher if an appropriate official of the Department determines that the researcher or relevant organization is qualified to carry out specific research related to the MSIX system;

3) To the U.S. Department of Justice (DOJ) or the Office of Management and Budget (OMB) if the Department concludes that disclosure is desirable or necessary to determine whether particular records are required to be disclosed under Freedom of Information Act or the Privacy Act; or

4) To appropriate agencies, entities, and persons when:

- a. It is suspected or confirmed that the security or confidentiality of information in MSIX User Application Form has been compromised;
- b. The Department has determined that as a result of the suspected or confirmed compromise, there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of MSIX User Application Form or other systems or programs (whether maintained by the Department or by another agency or entity) that rely upon the compromised information; and,
- c. The disclosure is made to such agencies, entities, and persons who are reasonably necessary to assist the Department in responding to the suspected or confirmed compromise and in helping the Department prevent, minimize, or remedy such harm.

Q11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

A11. There are no questions of a sensitive nature.

Q12. Provide estimates of the hour burden of the collection of information

A12. The estimated time required to complete the MSIX User Application Form is 30 minutes (or 0.5 hour) per form. The Applicant, the Verifying Authority and the Approving Authority are estimated to spend approximately 10 minutes each for their respective sections and procedures. The average number of new responses of the MSIX User Application Forms between 2015 and 2017 was 420 per year. Total burden hours is 210 hours annually [0.5hour x 420 forms =210/hours/form].

Total Burden Hours

Respondent Type	Obligation to Respond	Hours/Response	No. of Responses	Total Burden
MSIX Users	Required	0.5 hours	420/year	210 hours annually

Based on the 2017 General Schedule grade 12 step 1, the hourly rate is \$30.05. The annual cost burden for respondents is estimated to be the following:

$$420 \text{ Forms/year} \quad \times \quad 0.5 \text{ hours/form} \quad \times \quad \$30.05/\text{hour} \quad = \$6,310.50 / \text{year}$$

Q13 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).

A13. This information collection does not require the use of any capital equipment, start-up costs, or record keeping, specifically for this purpose.

Q14. Provide estimated annualized cost to the Federal government.

A14. There are up to 10 Federal Government employees who are registered users of MSIX at any given point in the year with approximately 3 new users added per year. Using the 2017 General Schedule grade 13 step 1 hourly rate of \$35.74, estimated annualized cost to the Federal Government is estimated as follows:

3 forms/year X 0.5 hours/form X \$35.74/hour = \$54/year

Q15. Explain the reasons for any program changes or adjustments reported.

A15. There is an adjustment decrease of -10,032 respondents and -3,266 annual burden hours. The original calculations overestimated the number of respondents due to lack of actual data. In order to calculate the adjustment for this renewal request, actual new user requests were analyzed for 2015, 2016 and 2017. Over this three year time period, the average numbers of new users were 420 per year. The number of respondents and annual burden hours were adjusted accordingly. Using the estimate of 30 minutes per form to calculate the overall annual burden hours [420 forms/year x .5 hour/form = 210 hours annually].

Q16. 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 or report, publication dates, and other actions.

A16. The collection of information does not require publication of the information or use of complex analytical techniques. Summary information may be reported by the Secretary in tabular form to the States, Congress and the public.

Q17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

A17. ED is not seeking this approval.

Q18. Explain each exception to the certification statement identified in the "Certification for Paperwork Reduction Act Submissions. "

A18. There are no proposed exemptions to the certifications.

B. Collections of Information Employing Statistical Methods

The data collection does not require that statistical methodology be employed.