

SUPPORTING STATEMENT
Reintegration of Ex-Offenders, Adult Reporting System
OMB Control Number 1205-0455

A. Justification.

The Department of Labor (DOL), Employment and Training Administration (ETA) requests the Office of Management and Budget's approval of this information collection request (ICR) revisions to the reporting and recordkeeping requirements of the Reintegration of Ex-Offender – Adult (RExO-Adult) program.

This standardized data collection for program participants – quarterly reports and Management Information System (MIS) quarterly reporting – is completed by RExO-Adult grantees or their sub-grantees. The data collected in this MIS system includes aggregate and participant-level information on demographic characteristics, types of services received, placements, outcomes, and follow-up status. Specifically, this system collects data on individuals who receive occupational skills training, employment training and placement services, mentoring, and other services essential to reintegrating ex-offenders through RExO-Adult programs. The requested revision reflects an increase the burden hours because DOL is currently awarding a larger number of adult versus juvenile offender grants.

The revision also requests the following eight data items be added to the data collection:

- Whether a participant was directly referred by the justice system;
- Whether the participant had a violent felony offense prior to enrollment;
- Whether the participant is coming from prison, jail, probation, or diversion;
- The date at which the participant was released from prison or placed on probation;
- Whether the case was closed after successfully completing diversion;
- Whether the person was convicted of a crime committed after enrollment;
- Whether the participant was convicted of a violent felony after they entered the program;
- Whether the participant entered a Registered Apprenticeship Program.

ETA is currently developing an agency-wide quarterly reporting system for all of its programs, including a case management system to be used by national programs within the agency. All ETA grants starting after July 1, 2017 are using this new agency-wide reporting system. This revision specific to the RExO-Adult program is to:

- continue the current adult offender MIS for grants that began prior to July 1, 2017 until they are completed, and
- use the old and new data items approved under this request for the case management system now being developed for RExO grants started after July 1, 2017.

1. *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.*

The Reintegration of Ex-Offenders-Adult program is a Workforce Innovation and Opportunity Act (WIOA) demonstration program. RExO-Adult programs provide work readiness training, case management, mentoring, and job placement services to adult offenders. The accuracy, reliability, and comparability of program reports submitted by grantees using federal funds are fundamental elements of good public administration and are necessary tools for maintaining and demonstrating system integrity. The use of a standard set of data elements, definitions, and specifications at all levels of the workforce system helps improve the quality of performance information that is received by ETA.

In applying for the RExO-Adult grants, grantees and their sub-grantees agree to submit participant data and aggregate reports on enrollee characteristics, services provided, placements, outcomes, and follow-up status. Grantees collect and report quarterly RExO-Adult performance data using an ETA-provided MIS. The MIS is a web-based case management and reporting application housed on ETA's servers.

WIOA section 185 broadly addresses reports, recordkeeping and investigations across programs authorized under Title I of the Act. The provisions of section 185:

- require the Secretary to ensure that all elements of the information required for reports be defined and reported uniformly [section 185(d)(2)];
- direct each state, local board, and recipient (other than a sub-recipient, sub-grantee, or contractor of a recipient) to prescribe and maintain comparable management information systems, in accordance with the guidelines that shall be prescribed by the Secretary designed to facilitate the uniform compilation, cross tabulation, and analysis of programmatic, participant and financial data, on statewide, local area, and other appropriate bases, necessary for reporting, monitoring, and evaluating purposes, including data necessary to comply with section 188 [section 185(c)(2)];
- require that recipients of funds under Title I shall maintain such records and submit such reports in such form and containing such information as the Secretary may require regarding the performance of programs and activities carried out under Title I [section 185(a)(2)];
- require that recipients of funds under Title I shall maintain standardized records for all individual participants and provide to the Secretary a sufficient number of such records to provide for an adequate analysis of the records [section 185(a)(3)];
- specify that the reports shall include information about programs and activities carried out under Title I pertaining to:
 - relevant demographic characteristics (including race, ethnicity, sex, and age) and other related information regarding participants;
 - programs and activities in which participants are enrolled, and the length of time that participants are engaged in such programs and activities;
 - outcomes of the programs and activities for participants, including the

- occupations of participants and placement for participants in nontraditional employment;
- specified costs of the programs and activities; and
- information necessary to prepare reports to comply with section 188 and 29 CFR Part 37.37 [(a-b),(d-e)]; and
- require that all elements of the information required for the reports described in section 185(d)(1)(A-E) above are defined and uniformly reported.

WIOA section 189(d) requires the Secretary to prepare and submit to Congress an annual report regarding the programs and activities carried out under Title I. The report must include:

- a summary of the achievements, failures and problems of the programs and activities in meeting the objectives of Title I;
- a summary of major findings from research, evaluations, pilot projects, and experiments conducted under Title I in the fiscal year prior to the submission of the report;
- recommendations for modifications in the programs and activities based on analysis of such findings; and
- such other recommendations for legislative or administrative action as the Secretary determines to be appropriate.

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.*

Grantees carry out recordkeeping and reporting requirements with grant funds. As a government-procured MIS is provided to all grantees, their implementation costs are minimal. Grant funds may also be used with the prior approval of the grant officer to upgrade computer hardware and Internet access to enable projects to use the MIS.

Grantees enter data into the MIS on individuals who receive services through RExO-Adult programs and the outcomes of these participants. These data are used by the Department and ETA to evaluate performance and delivery of RExO-Adult program services. ETA uses the data to track total participants, characteristics, services, and outcomes for RExO-Adult participants. Additionally, ETA analyzes the data to (1) determine the delivery of core employment services within the WIOA framework; (2) study performance outcomes vis-à-vis performance measures, policies, and procedures; and (3) help drive the workforce investment system toward continuous improvement of outcomes and integrated service delivery for ex-offenders.

Within ETA, the data are used by the Offices of Workforce Investment, Financial and Administrative Management, Policy Development and Research, and Field Operations (including the regional offices). Other DOL users include the Offices of the Assistant Secretary for ETA and Assistant Secretary for Policy.

The reports and other analyses of the data are made available to the public through publication and other appropriate methods and to the appropriate congressional committees through copies

of such reports. In addition, information obtained through the MIS information and reporting system is used at the national level during budget and allocation hearings for DOL compliance with the Government Performance and Results Act (GPRA) and other legislative requirements.

3. *Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.*

To comply with the Government Paperwork Elimination Act, a web-based MIS/Case Management System is provided to grantees and data elements and data definitions are uniform across ETA programs. All RExO-Adult data and reports are submitted to ETA via the Internet. Grantees collect, retain, and report all information electronically through the ETA-provided MIS.

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 only way of obtaining demographic data of participants in our adult offender projects, the services that they receive, and outcomes such as placement in an unsubsidized job or occupational training is by collecting this information from grantees as requested in the ICR. Eventually we will be able to track quarterly employment and earnings of participants through state Unemployment Insurance wage data, but that data is not available for our Reentry grants yet. The FBI maintains individual criminal history data at the national level, but there are specific purposes for which that information is released—the National Crime Information Center data is for law enforcement agencies; the National Instant Criminal Background Check system is for the purchase of firearms; the National Name Check program is used for security clearances for federal employment and appointments, federal and state criminal investigations, counterterrorism, counterespionage, clearances for White House events, and applications for visas, green cards, and naturalization; and FBI fingerprint background checks are specifically for screening for employment in schools, hospitals, and social services agencies, and obtaining occupational licenses, and can only be accessed through state agencies or through fingerprint vendors designated by the state. Many, but not all, states have convictions data available based on name and birth date, but to use these state systems to be ethical DOL would need to let participants know that we would be accessing their criminal records and it would be unnecessarily intrusive for DOL to access such criminal records.

5. *If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.*

For reporting purposes, the involvement of small businesses or other small entities that are not grantees or sub-grantees is extremely limited. The only time contacting them may be required is to validate a job placement. Methods to minimize the burden on small entities that are grantees or subgrantees are discussed in other sections of this supporting statement.

6. *Describe the consequence 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.

In applying for RExO-Adult grants, grantees agree to meet ETA's reporting requirements as indicated in the Solicitation for Grant Applications (SGA/DFA PY-13-03), which requires the submission of quarterly reports within 45 days after the end of the quarter. If ETA did not comply with these requirements, monitoring of demonstration programs would be compromised.

7. *Explain any special circumstances that would cause an information collection to be conducted in a manner that requires further explanation pursuant to regulations 5 CFR 1320.5.*

These data collection efforts do not involve any special circumstances.

8. *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 instructions and recordkeeping, 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.

In accordance with the Paperwork Reduction Act of 1995, the public was allowed 60 days to comment through the Federal Register Notice posted on May 25, 2018 (83 FR 24358). No public comments were received.

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

There are no payments to respondents other than the grant funds described in the Solicitations for Grant Applications for RExO-Adult programs.

10. *Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.*

ETA is responsible for protecting the confidentiality of the RExO-Adult participant and performance data and maintaining the data in accordance with all applicable federal laws, with particular emphasis on compliance with the provisions of the Privacy and Freedom of Information Acts. The Department ensures the highest level of security whenever personally identifiable information is stored or transmitted. All contractors that have access to individually

identifying information are required to provide assurances that they will respect and protect the confidentiality of the data. ETA's Office of Information Systems and Technology (OIST) has been an active participant in the development and approval of data security measures – particularly as they apply to the web-based version of the RExO-Adult system.

A key concern is for the protection of participant social security numbers (SSNs), which are voluntarily provided by individuals as part of this information collection request. The SSN is being requested in order for ETA to eventually track program participant outcomes through state wage record systems. The RExO-Adult system also includes a statement that informs the individual where the information he/she has provided is being stored, the name and location of the system, and that the information is protected in accordance with the Privacy 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. 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.

The only questions relating to matters considered to be private are those regarding the criminal history and recidivism outcomes of individuals. These questions are necessary given that these grants are specifically targeted on serving offenders. The confidentiality of participants will be protected as discussed in section A.10. In addition, security is built into the data collection system by the MIS contractor.

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

The annual national burden for the RExO-Adult reporting system has two components: (1) the participant data collection burden and (2) the quarterly performance report burden. This response provides a separate burden for each of the two components.

(1). Participant Data Collection Burden

The RExO-Adult **participant data collection burden** considers the amount of participant and performance-related information collected and reported on the participant record that would not have to be collected by the grantees as part of their customary and usual burden to run the program. Thus the burden reflects the information collected solely to comply with the federal reporting requirements.

This revision request increases the annual figure of hours per participant record to be spent by grantee staff from 1.3 hours to 2.0 hours because of the additional data items to determine if participants are being referred directly by the justice system, are coming from prison, jail, probation, or diversion, have a previous violent felony offense, the date at which they were placed on probation or released from confinement, whether their case was closed after successfully completing diversion, whether they were convicted of a crime committed after enrollment, and whether they commit a violent felony offense after they enter the program. The revision also increases the participant burden because of these additional questions from 30

minutes to 36 minutes.

This revision increases the annual number of participants served by adult offender grants from 5,817 to 10,173 because over the next few years a higher proportion of our grants will be focused on adult offenders rather than juvenile offenders.

Record Type	Av Hrs. Per Record	Estimated Annual Responses	Annual National Burden Hours	Applicable Hourly Rate	Annual National Burden Dollars
Participant data collection burden on Grantee staff	2.0	10,173	20,346	\$14.71	\$299,289.66
Participant data collection burden on program participants	.6	10,173	6,104	\$7.25	\$44,254

(2.) Quarterly Performance Report Burden ETA – 9140

The **quarterly performance report burden** assumes that the 25 grantees started in PY 2015 or PY 2016 submit four quarterly reports this coming year. Grants started in PY 2017 or after will be submitting quarterly performance reports under the ETA-wide ICR rather than under this ICR. The burden for submitting performance quarterly reports includes reviewing and correcting errors identified by the MIS in the participant-level data and generating, reviewing, and approving the aggregate quarterly reports.

ETA 9140 Report	Number of Respondents	Frequency of Response	Total Annual Responses	Time per Response	Annual Burden Hours	Applicable Hourly Rate	Annual National Burden Dollars
Quarterly Performance Report	25	Quarterly	100	16	1,600	\$14.71	\$23,536

The following table can be used as a guide to calculate the total burden of an information collection.

Summary of Annual National Burden Hours and Cost

Activity	Number of Respondents	Frequency	Total Annual Responses	Time per Response	Total Annual Burden Hours	Hourly Rate	Monetized Value of Respondent's Time
Grantees Data Collection	126	Ongoing	10,173	2	20,346	\$14.71	\$299,289.66
Participant Data Disclosure	10,173	Ongoing	10,173	.6	6,104	\$7.25	\$44,254
Grantees Quarterly Progress report	25	Quarterly	100	16	1,600	\$14.71	\$23,536
Unduplicated Totals	--	Varies	20,446	--	28,050	--	\$367,079.66

* Hourly rates used to calculate cost depend upon the type of organization administering the program. For private non-profit grantees, the hourly rate is the average hourly earnings in the Census Bureau's social assistance industry category April 2018, Current Employment Statistics Survey, U.S. Census Bureau). Source: <http://www.bls.gov/web/empsit/ceseeb8a.htm>. The participant burden is based on the current federal minimum wage.

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).

- a) **Start-up/capital costs:** There are no start-up costs, as ETA provides grantees with a free, web-based, data collection and reporting system that grantees will use to collect and maintain participant data, apply edit checks to the data, and generate the quarterly reports.
- b) **Annual costs:** There are no annual costs, as ETA is responsible for the annual maintenance costs for the free, web-based, data collection and reporting system.

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 annual cost of maintaining the system and providing training and technical assistance to grantees for using the system, including contractor and DOL staff time, is estimated to be \$390,000.

15. Explain the reasons for any program changes or adjustments.

The change in burden is due to an increase in the number of adult offenders served because DOL is currently awarding a larger number of adult versus juvenile offender grants and to the addition of the eight data items listed above.

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.

As required under WIOA Regulations at 683.300 (e)(2), grantees will continue to submit MIS performance reports on a quarterly basis to ETA within 45 days of the end of each quarter. ETA will aggregate the data provided by grantees in their reports and prepare quarterly reports showing the demographics and key outcomes of participants served by youthful offender grants. The quarterly reports prepared by ETA are available to the public on ETA's web site. ETA will also use the quarterly reports submitted by grantees to provide the number of participants served and key outcomes of youth offender grants in the annual budget request submitted to Congress. ETA's portion of the annual budget request is available to the public on ETA's web site. No complex analytical techniques are contemplated.

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 expiration date for OMB approval will be displayed. We are not seeking approval to have this concealed.

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

No exceptions are requested.

B. Collections of Information Employing Statistical Methods

This information collection does not employ statistical methods.