

## **Supporting Statement A**

### **Tribal Colleges and Universities Grant Application Form 25 CFR 41**

**OMB Control Number 1076-0018**

**Terms of Clearance:** None.

#### **General Instructions**

A completed Supporting Statement A must accompany each request for approval of a collection of information. The Supporting Statement must be prepared in the format described below, and must contain the information specified below. If an item is not applicable, provide a brief explanation. When the question “Does this ICR contain surveys, censuses, or employ statistical methods?” is checked "Yes," then a Supporting Statement B must be completed. OMB reserves the right to require the submission of additional information with respect to any request for approval.

#### **Specific Instructions**

##### **Justification**

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.**

The annual collection of information is required by the Tribally Controlled Community College Assistance Act of 1978 (the Act) (25 U.S.C. 1802-1815), which provides grants to tribally controlled community colleges for the purpose of ensuring continued and expanded educational opportunities for Indian students. The implementing regulations at 25 CFR 41, establishes the process for tribally controlled community colleges to apply for such grants, and provides that “each Community College...shall be entitled to apply for financial assistance under this subpart.”

Additionally, the implementing regulations, at 25 CFR 41.39, require tribally controlled community colleges that receive grants under the Act to submit an annual report to the Bureau of Indian Education (BIE). Specifically, section 41.39 states that such annual reports shall include:

- An accounting of the amounts and purposes for which the grant money was expended during the preceding academic year;
- The annual cost of education programs of the Community Colleges from all sources for such academic year;
- A final report of the performance based upon the criteria set forth in the Community College’s stated goals, philosophy or plan of operation; and

- The Community College’s full-time equivalent (FTE) Indian student enrollment for each academic term of the academic year.

**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. Be specific. If this collection is a form or a questionnaire, every question needs to be justified.**

### **Application Form**

The collection of information is conducted each year by tribal colleges and universities and reported to the BIE as required by the Act. The information will be used by the BIE Director to determine if the respondent meets the requirements for a grant as specified in 25 CFR 41. The form used to collect information has two pages:

- Page one - requires information that; identifies the institution, its accreditation, relationship to the tribe, and how the institution is governed; information on the board of directors and the number of Indian and non-Indian members; and Indian student count for each term.
- Page two – requires information on; types of degrees granted (e.g., Master’s, Bachelor’s, Associates, Two-Year Certificates); and data on the average class size, number of instructors and if they are a full-time employee or part-time employee (FTE or PTE).

The institution’s Chairman of the Board and the president must certify the accuracy of the information on the form. The institution must also supply a proposed budget; copies of the institution’s policy statement; charter; by-laws; catalog, which includes a copy of the institution’s current curriculum; and a description of the accounting procedures used for grants received under the Act.

The BIE uses this information to determine if the institution meets the regulatory definitions of a “community college” and an “institution of higher education” and whether the institution meets the regulatory requirements for eligibility. Once the BIE reviews the application, the Director of BIE and the Chief, Division of Contracts & Grants Administration must certify that the institute meets eligibility requirements for funding.

### **Annual Report Form**

Additionally, BIE requires tribal colleges and universities to submit the information listed on the form each year, in order to provide accountability by ensuring the colleges and universities are using the grant funding as prescribed by the Act. This form was previously approved under OMB 1076-0105, but BIE is now submitting it as part of this information collection. Both collections are elements of the same grant program.

The form used to collect information has 5 pages, and 3 pages of instruction:

- The first page of the form (Section 1) requires information that identifies the institution and its accreditation, relationship to the tribe, and how the institution is governed. It also

requires a report on the institution's progress in meeting the goals established for the academic year in relation to what actually transpired.

- Page 2, Section 2, asks for data on the number and kinds of degrees the institution conferred and whether the recipients were Indian or non-Indian. Section 3 asks for a head count of students for each term by sex and Indian identity (e.g., male Indian, female non-Indian). Section 4 asks for the student costs per academic year (i.e., tuition, room and board, transportation, text books, supplies, personal expenses, miscellaneous expenses, and fees).
- Page 3, Section 5, requires the revenue sources of current funds.
- Page 4, Section 5.1, requires an explanation of how the Act's grant expenditures are spent.
- Page 5, Section 6, requires certification of the data by the college/university president and an authorized college/university board member.
- Pages 6 – 8 contain instructions for completing the form.

The Annual Report Form asks the institution to account for the number of Indian and non-Indian students in each category (attendees and graduates). The BIE uses these numbers to identify the demographics of the population the institution served using grant funds and whether those grant funds are furthering the goals of expanding educational opportunities for Indian students, as set out in the Act. The December 1st deadline for the Annual Report Form (as opposed to the June 1st Application Form deadline) provides the institution with additional time to provide these more specific figures.

### **Indian Student Count Reporting Form 22**

The Indian Student Count (ISC) is the number of federally recognized Indian students at each institution. The Indian Student Count Form 22 is completed and submitted on January 1 and June 1 of each year. The institutions will electronically input information on all federally recognized American Indian/Alaska Native students enrolled at the end of the first three weeks in each semester/quarter. These numbers are used to calculate funding for each institution. The information is submitted to the BIE electronically by the above dates. After the June 1 submission, the BIE uses the head count and degrees conferred to document the number of students that are likely to be served in the following year and determine the amount of grant funding it will allocate to that institution.

### **Third Week Monitoring Form**

The Third Week Monitoring Form is used both for onsite monitoring of student files and for verification of Indian Student Count Form 22. The institution will electronically input just the student identification numbers (of American Indian/Alaska Native students) at the end of the third week of each semester or quarter and email to BIE. The BIE uses these numbers to crosscheck ISC numbers submitted on January 1 and June 1 for verification purposes. To lessen the burden on institutions, the BIE will use the submitted forms when conducting onsite or desk monitoring of student files. Any corrected student information sent to the BIE for verification, after a monitoring visit, must be faxed to protect Personally Identifiable Information (PII).

- 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 and specifically how this collection meets GPEA requirements.**

All forms included in this request can be retrieved from the BIE's website at:  
<http://www.bie.edu/Schools/Colleges/index.htm>.

Completed forms may be submitted through email, fax, or mail. If submitted through email, the form must be sent as a PDF document.

Institutions developed the ability to utilize electronic collection techniques to gather this information from tribal colleges and universities. Now, 100% of the colleges and universities submit this information 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.**

The BIE uses the head count and degrees conferred to document the number of students that are likely to be served in the following year and determine the amount of grant funding it will allocate to that institution. The more detailed information on head count and degrees conferred that is required as part of the Annual Report Form is not due until December 1st, allowing the institution sufficient time to account for the numbers of male, female, Indian, and non-Indian students.

At various times, other Federal agencies have offered grants to tribal colleges that are specific to certain subject matter (e.g., the National Science Foundation offers grants to tribal colleges and universities, among others, for enhancement of science, technology, engineering and mathematical research and curricula). However, only the Act grants help defray the annual; general operating expenses of education programs at tribally controlled community colleges.

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

The BIE has attempted to minimize the burden on the tribally controlled community colleges and universities by collecting the application and report information only once a year, rather than on a semester-by-semester basis.

- 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.**

The BIE could not award the grants to tribally controlled community colleges and universities if it could not collect the information required by the Act.

- 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 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.**

There are no special circumstances that would cause an information collection to be conducted in any manner listed above. If, during monitoring, any information is found to be missing (transcript, CDIB, or application) and the school does not have it on-hand, the school will need to fax that information to BIE instead of sending it in an email. The information is then entered into the records and shredded. All personally identifiable information kept behind locked doors and in a locked filing cabinet.

- 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 in response to the PRA statement associated with the collection over the past three years, and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

A 60-day notice for public comments was published in the Federal Register on April 9, 2018 (83 FR 15172). No comments were received.

**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.**

BIE contacted the following respondents to obtain their views:

- Chief Financial Officer, Salish Kootenai College (406) 275-4969
- Vice President for Business and Finance, Bay Mills Community College, (906) 248-8420
- Registrar, Little Big Horn College, (406) 638-3185

Frequency:

All respondents indicated the frequency in which this information is collected is adequate.

Forms are readily available and instructions are clear:

BIE asked the three respondents if the forms are readily available and clear instructions as part of the renewal process. One respondent said the instructions are clear, but it would be helpful if the form was available as a fillable PDF file; another respondent stated the form should include a statement on degree seeking students who are registered for credit should be counted toward the Indian Student Count.

BIE is looking into the possibility of making the application form fillable as part of the renewal process. Also, the Indian Student Count is defined in Public Law 95-471.

Burden hours:

Of the three respondents, it was agreed that it takes an average of 11 hours to complete. BIE used the average of the three to determine the burden hours.

BIE does not require a worksheet to calculate the number of FTE to PTE students, this is an internal worksheet created to assist the respondent in calculating data for the application form.

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

There are no gifts or payments provided to respondents for reporting this information.

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

We do not provide any assurances of confidentiality because there is no confidential information provided.

**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 information collection request does not require submission or disclosure of any information of a sensitive nature.

**12. Provide estimates of the hour burden of the collection of information. The statement should:**

**\* Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. 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.**

**\* Provide estimates of annualized cost to respondents for 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.**

The BIE estimates 29 tribal colleges and universities submit grant applications and reports annually, with an annual burden hours of 870 hours at a cost of \$31,512.

<b>Task</b>	<b>No. of Respondents</b>	<b>No. of Responses Per Year</b>	<b>Total Responses</b>	<b>Burden Hours per Response</b>	<b>Annual Burden Hours</b>	<b>Cost to Respondent *</b>
<b>Preparing and submitting the grant application</b>	29	1	29	11	319	\$11,554
<b>Collect, Report and Recordkeeping information</b>	29	1	29	11	319	\$11,554
<b>ISC Reporting Form</b>	29	2	58	1	116	\$4,202
<b>Third Week Monitoring Form</b>	29	2	58	1	116	\$4,202
<b>Totals</b>	<b>116</b>	<b>6</b>	<b>174</b>	<b>24</b>	<b>870</b>	<b>\$31,512</b>

\* To obtain the hourly rate, the BIA used \$36.22, the wages and salaries figure for civilian works from BLS Release USDL-18-1499, Employer Costs for Employee Compensation – June

2018, Table 1, Employer costs per hour worked for employee compensation and costs as a percent of total compensation: Civilian works, by major occupational and industry group, at <https://www.bls.gov/news.release/pdf/ecec.pdf>. This wage includes a multiplier for benefits.

**13. Provide an estimate of the total annual non-hour cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected in item 12.)**

- \* 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 (including filing fees paid for form processing). 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 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 purchasing or 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.

No capital or startup costs associated with this collection. The provisions of 25 CFR 276.5 allow the tribes to store necessary data in a manner that is best for them; they may send the information collected to BIE for storage unless they will continue to need it for ongoing use.

**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.**

The BIE estimates that a GS-14/Step 1 will be reviewing 29 grant applications and 29 annual reports, with a total estimated cost to the Federal government of \$12,378.

Task	No. of	No. of	Total	Burden	Federal	*Cost to the
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	<b>Respondents</b>	<b>Responses per Year</b>	<b>Responses</b>	<b>Hours per Response</b>	<b>Annual Burden Hours</b>	<b>Federal Government</b>
<b>Review Grant Applications</b>	29	1	29	1	29	\$1,987
<b>Review Grant Reports</b>	29	1	29	1	29	\$1,987
<b>Review Third Week Monitoring Forms</b>	29	2	58	1	116	\$4,202
<b>ISC Reporting Form</b>	29	2	58	1	116	\$4,202
<b>Totals</b>	<b>116</b>		<b>174</b>		<b>288</b>	<b>\$12,378</b>

\* The salary associated with this grade and step is based on the General Schedule 2018. The hourly salary is multiplied by 1.6 to cover benefits. See [https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/18Tables/html/GS\\_h.aspx](https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/18Tables/html/GS_h.aspx).

#### **15. Explain the reasons for any program changes or adjustments in hour or cost burden.**

BIE indicates there are now 29 Tribal Colleges and Universities that will be submitting an annual grant application to BIE. This is an increase from 28 to 29 Tribal Colleges and Universities. This number increased because the Assistant Secretary-Indian Affairs approved another grant at the beginning of 2017.

The new Indian Student Count form will be used to report numbers of federally-recognized American Indian/Alaska Natives at the end of the third week of each semester/quarter twice a year. The new Third Week Form will be used to enter student identification numbers of all students enrolled the third week of each semester or quarter.

Additionally, the BIE will be combining information collection OMB 1076-0105 with this collection because both collections are elements of the same grant program. OMB 1076-0105 covered the reporting element of the grant program. Each Tribally-controlled college or university that receives financial assistance under the Act is to provide a report on the use of funds received.

Changes made to salary totals and federal government costs were due to increased hourly salary information for both and a correct calculation of burden costs.

#### **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 to publish the information unless a summary becomes part of a budget justification, which would not identify individual respondents.

**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.**

No waiver is being sought concerning display of the OMB Control number and the expiration date.

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

No exceptions are being requested to the certification statement.