

**SUPPORTING STATEMENT
FOR PAPERWORK REDUCTION ACT SUBMISSION
OMB Number: 1845-0077**

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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 section¹. 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 Higher Education Act of 1965, as amended, (HEA) allows for up to a one hundred percent cancellation of a Federal Perkins Loan and loan forgiveness of a Federal Family Education Loan and Direct Loan program loan if the graduate teaches full-time in an elementary or secondary school serving low-income students.

The data collected for the development of the Teacher Cancellation Low Income (TCLI) Directory provides web-based access to a list of all elementary and secondary schools, and educational service agencies that serve a total enrollment of more than 30 percent low income students (as defined under Title I, Part A of the Elementary and Secondary Education Act of 1965, as amended). The Directory allows post-secondary institutions to determine whether or not a teacher, who received a Federal Perkins Loan, Direct Loan, or Federal Family Education Loan is eligible to receive loan cancellation or forgiveness or if a teacher who received a TEACH Grant is meeting the service obligation. It also allows students, borrowers, and individuals to determine which elementary and secondary schools qualify a teacher to receive those grant and loan benefits.

The regulatory authority governing the Teacher Cancellation process for the loan programs and the verification of the obligation to serve for the TEACH Grant for which the TCLI Directory is used are:

Federal Perkins Loan funds [34 CFR 674.53](#) ;

Federal Family Education Loan (FFEL) [34 CFR 682.216](#) ;

William D. Ford Direct Loan (DL) Program [34 CFR 685.217](#) ; and

Teacher Education Assistance for College and Higher Education (TEACH) Grant Program [34 CFR 686.40](#).

Effective August 14, 2008, The Higher Education Opportunity Act (P. Law 110-315) amended section 465(a)(2)(A) of the Higher Education Act of 1965, as amended, to authorize loan cancellation or forgiveness for full-time teaching service in locations operated by an educational service agency. Sections of the Higher Education Act of 1965, as amended, that govern these programs can be found at the Office of Postsecondary Education [Policy Resource](#) page.

¹ Please limit pasted text to no longer than 3 paragraphs.

Teacher Cancellation Low Income (TCLI) Directory

The list of schools and educational service agencies that serve low-income families in the TCLI Directory qualifies teachers for loan cancellation under the Federal Perkins Loan Program, and loan forgiveness under the FFEL Program and the Direct Loan Program. This list also satisfies certain aspects of the teaching obligation in the TEACH Grant program. If a State does not update its list of low-income schools, Perkins, FFEL and Direct Loan borrowers and TEACH Grant recipients who teach in that State may not receive Federal program benefits to which they may be entitled.

No additions are being made to the data collection. This submittal is to renew the expiration date as it expires 4/30/2018, and provide updated format of the form and instructions.

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.

Information is obtained from State Agencies that contribute to the development of a TCLI Directory of elementary and secondary schools and educational service agencies that serve low-income families that qualify for the teacher cancellation benefit. Failure to collect this information would prevent teachers from receiving specific student loan cancellations or knowing if they are meeting requirements of the TEACH Grant.

Colleges and universities use the information in the TCLI Directory to research schools that meet the criteria for their students to take advantage of specific student loan teacher cancellation and TEACH Grant benefits.

The public (students and their families) use information in the TCLI Directory to research career choices that will allow them to take advantage of specific student loan teacher cancellation and TEACH Grant benefits.

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.

For the 2017-2018 reporting period the reporting process is changing. Department administration of the data will transition to the COD system. Public access will transition to StudentLoans.gov.

States and territories may make changes and updates to the directory whenever necessary. Data will be provided to the Department's TCLI Liaison via email and uploaded to the TCLI Directory for public access upon receipt.

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 TCLI Directory data collection requires inclusion of both public and private nonprofit elementary and secondary schools and educational service agencies where more than 30 percent of the school's or educational service agency's total enrollment is made up of children who qualify for services provided under title I. Standard language provided to the state contacts providing the data explains the flexibility of the state in determining the measure of 30%:

To qualify for inclusion on the TCLI Directory, a school must be in a school district of a local education agency that is eligible for assistance under Title I, Part A of the Elementary and Secondary Education Act of 1965 (ESEA). And the school must be a school "in which the number of children meeting a measure of poverty under section 1113(a)(5) of the Elementary and Secondary Education Act of 1965, exceeds 30 percent of the total number of children enrolled in such school" (Section 465(a)(2)(A)(i)(I), Higher Education Act of 1965, as amended).

The "measures of poverty," as set out in section 1113(a)(5) of the ESEA, reads:

"(5) MEASURES- The local educational agency shall use the same measure of poverty, which measure shall be the number of children ages 5 through 17 in poverty counted in the most recent census data approved by the Secretary, the number of children eligible for free and reduced priced lunches under the Richard B. Russell National School Lunch Act, the number of children in families receiving assistance under the State program funded under part A of title IV of the Social Security Act, or the number of children eligible to receive medical assistance under the Medicaid program, or a composite of such indicators, with respect to all school attendance areas in the local educational agency. . ."

The availability of the most current data is of concern for the teachers in meeting the specific requirements for loan forgiveness and or meeting the service requirements of the TEACH Grant. Each year, in July, the TCLI Directory is updated to accept the most recent year data while also continuing to accept updates and changes to data in past years.

Federal Student Aid (FSA) recognizes that EDFacts (www.ed.gov/open/plan/edfacts) does collect data from Title I schools. However, in discussions with the staff that works with the EDFacts data collection, we've learned that the data within EDFacts would not specifically meet the TCLI Directory immediate needs of:

- *Both public and private school data:*
EDFacts only contains public school data. Private school data would come from a different request of data.
- *Flexibility in statutory options that states use to determine the 30% measure of poverty:*
In order to use EDFacts data, FSA would have to define the 30% measure.

Annual communications are sent to each state contact providing information and instructions concerning the current data upload to the TCLI Directory. In addition, a TCLI Data Provider User's Guide has been updated and will be distributed to all authorized state and territory TCLI contacts.

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.

The collection of this information does not involve small businesses or other small entities.

6. Describe the consequences to Federal program or policy activities if the collection is not conducted or is conducted less frequently.

Also describe any technical or legal obstacles to reducing burden.

If the collection is not conducted or is done less frequently, the ability to cancel student loans that qualify for cancellation throughout the school year would be hindered as explained in item 4 "Efforts to Identify Duplication" above.

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.*

There are no special circumstances inconsistent with these guidelines.

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.

The data is requested from State and Territory agencies only. A sixty-day public comment period notice was published in the Federal Register on December 14, 2017, page 58797-58798.

There was one comment received from Victoria Pluim. Ms. Pluim stated, "The data collection required for the Teacher Cancellation Low Income Directory does not represent a considerable additional burden on the California Department of Education. However, if the tcli.ed.gov site were more user-friendly, the California Department of Education and presumably other State Education Agencies (SEAs) would receive far fewer inquiries, and thus the burden on the SEAs would be lower."

The Department welcomes specific suggestions to improve the user experience for our communication products. And we recognize that SEAs can receive inquiries about this list, especially if the directory does not include an institution because it does not meet the required criteria for inclusion. The parameters for inclusion are dictated by statute and regulation. However, no specifics were provided and no changes are being made to the collection based on this comment.

This is the request for the 30-day Federal Register Notice to be published to allow public comment.

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

There are no payments or gifts 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.² 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 Department makes no pledge about the confidentiality of the data.

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.

This collection does not include information of a sensitive nature.

² 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)

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.**

There are a total of 57 State and Territorial agency respondents. The data can be updated at any time and is used by four financial aid programs in the Department. State agencies collect data from elementary and secondary schools in their districts, review the data, and update and add any new data to the Directory as necessary. In an effort to reduce the burden to the states, Federal Student Aid (FSA) maintains the TCLI Directory so that it is available year-round and is easy to update and use. With the transition of the eCB system to COD, procedures for states and territories to submit the data to FSA are changing; but have been simplified. The TCLI Data Provider Users Guide has been updated and a form and instructions has been simplified. However, burden hours for data gathering and reporting are not expected to change. There is no change in the data being collected. A random sample of a few State agencies showed that it took an average of three 40-hour work weeks to collect, review and input data in the Directory. (See matrix below.)

	Est. No. of Respondents	Est. Avg. Person Hours per Respondent - Reporting	Est. Avg. Person Hours per Respondent - Record Keeping	Total Hours
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State & Territorial Agencies	57	40	80	6,840 (57 x 120)
		Average Salary of Respondents		Total Salary Cost of all Respondents
		\$28.71 per hour		\$196,376 (Total hours x Salary)

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

The nature of business for State and Territorial agencies is such that purchases of equipment and provision of services that are required for completion of their directory submissions are a part of their customary and usual business practice. They use the type of equipment and services normally necessary to successfully operate any State entity. Therefore, no special equipment or services are required for providing data.

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.

A total of 8.25 FTEs process all Campus-Based data, forms and materials annually at an average cost of \$874,579 equating to an average hourly cost of \$50.97.

Oversight and processing of this form requires staff 160 hours for a total annual cost to the government of \$4,077.29.

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).

This is a request for an extension of the currently approved information collection 1845-0077. There has been no change to the underlying regulatory requirements. While entities can submit data more than one time per year, the average is once a year. The estimated total annual reporting and record keeping hour burden has not changed from the current OMB inventory of 120 hours per respondent, times 57 respondents for a total burden of 6,840 hours.

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.

This information collected in the TCLI Directory is not collected for statistical publication.

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 Department is not seeking this approval.

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

There are no exceptions to the certification statement.