

Supporting Statement A

Tribal Education Department Grant Program

OMB Control Number 1076-0185

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.**

Under 25 U.S.C. 2020, Congress appropriated (one time) funding through the Bureau of Indian Education (BIE) for the development and operation of Tribal departments or divisions of education for the purpose of planning and coordinating all educational programs of the Tribe. To be eligible for funding under this program, a Federally Recognized Tribe may serve one Bureau-funded school but priority will be given to those Tribes if they serve three or more separate Bureau-funded schools. All Tribal education departments (TEDs) awarded under the program will provide coordinating services and technical assistance to the school(s) they serve. The BIE will need to solicit grant proposals from eligible Federally Recognized Tribes in order to award funding.

The funds will support the program goals for the following areas that promote Tribal education capacity building:

- Development and enforcement of Tribal educational codes, including Tribal education policies and Tribal standards applicable to curriculum, personnel, students, facilities, and support programs;
- Facilitate Tribal control in all matters relating to the education of Indian children on reservations (and on former Indian reservations in Oklahoma);

- Provide development of coordinated educational programs (including all preschool, elementary, secondary, and higher or vocational educational programs) on reservations (and on former Indian reservations in Oklahoma) by encouraging Tribal administrative support of all Bureau-funded educational programs, as well as encouraging Tribal cooperation and coordination with entities carrying out all educational programs receiving financial support from other Federal agencies, State agencies, or private entities.

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.

To be transparent with all eligible federally recognized Tribes, the BIE publishes a notice of the availability of funding (when available) and request for grant proposals on the www.grants.gov website. BIE will review the proposals to determine if the Tribe is eligible for the grant and if the funding will be used for the stated purposes of planning and coordinating educational programs of the Tribe.

A complete proposal must contain the following elements:

- A formal signed resolution from the appropriate Tribal governing body supporting the TED grant proposal – The resolution is necessary to ensure the Tribe or TED has authorized the request.
- A proposal describing the planned activities and deliverable products – BIE will use this information to ensure the proposed project falls within the scope of what the funds are to be used for.
- A detailed budget estimate, including contracted personnel costs, travel estimates, and other expenses – BIE will use this information to ensure that the funds will be used for the authorized purposes.

BIE will evaluate the grant proposal on the following criteria:

(1) Project Narrative:

The narrative must discuss the vision of the Tribe's or TED's educational goals to strengthen Tribal engagement and participation in coordinating assistance and support to Bureau-funded school(s). The narrative will include the expected outcome for student success and how the proposed project will increase student competency. The narrative should describe how the Tribe will develop and implement on or more of the following projects identified under 25 U.S.C. 2020:

- o Tribal Education Code Development
- o Tribal Education Control
- o Tribal Administrative Support

(2) Budget Narrative: This narrative includes, in detail, the amount of grant funds that will

be allocated to each budget category, which will include salary costs, travel estimates, and other expenses.

- (3) Work Plan: The work plan must describe the goals, objectives, tasks, responsible parties, timelines, and expected outcomes. BIE highly recommends the inclusion of timelines that factor in Tribal grant award processes, if awarded, that may include, Tribal grant award acceptance, Tribal human resource hiring, and/or consultant hiring.

Once the grants have been awarded, those participating TEDs will need to submit the following items for the duration of their grant and shall comply with regulations relating to grants made under 25 U.S.C. §450h(a):

Quarterly Reports – BIE will use this information to ensure the performance of the TED program’s function and activity are being met.

Annual Reports – BIE will use this information to stay apprised of the TEDs progress and accomplishments, and ensure the Tribal education department fulfills the obligations of the grant. The annual report is articulated in the grant application that requests Tribes to provide a presentation that shows the progress of their Year 1.

Time Period of Grant – Subject to the availability of appropriated funds, a grant provided under this program shall be provided for a period of one year. If the performance of the grant recipient is satisfactory to BIE during its first year, the grant may be renewed for an additional two-year term.

In 2015, the BIE received a one time appropriation of \$2,000,000. It is unknown if Congress will appropriate additional funding in subsequent fiscal years to allow for new TED participants. It is BIE’s objective to award all of the \$2,000,000 available, which may require more than one Federal Register notice soliciting grant proposals.

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.**

The application can be retrieved from the BIE’s website at:
<http://www.bie.edu/Programs/TribalEduDeptGrantProgram/index.htm>.

BIE will accept grant proposals, quarterly reports, and annual reports by regular mail, Federal Express, Express Mail or by email.

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 information requested by BIE is not available from any other source. The information collected is unique to each Tribe's vision of the Tribe's or TED's educational goals to strengthen Tribal engagement and participation in coordinating assistance and support to Bureau-funded school(s), expected outcome for student success, and how the proposed project will increase student competency.

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

This information collection does not impact small businesses or other small entities.

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.**

25 U.S.C. 2020 requires a grant proposal in order to be awarded funding for this program. If BIE is unable to conduct this information collection, eligible Tribes would be deprived of funding to improve education or build the capacity of their Tribal education departments

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 circumstances that require BIE to collect the information in a manner stated above.

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 comment was published in the Federal Register on October 24, 2018; 83 FR 53655. On December 2, 2018, one Tribe responded to all four questions listed in the 60-day notice. The comments did not change the burden estimates for the collection and have been addressed in this supporting statement. Therefore, the BIE did not make any adjustments based on the comment received. Muscogee Creek Nation submitted the following comments:

- a) The necessity of this information collection for the proper performance of the functions of the agency, including whether the information will have practical utility;
 - Yes, the amount of funds available is very small but the actions/projects of TED Grantees is invaluable for future reference by emerging TEDs.
 - The reporting of information for TED grantees is achievable but the evaluation and dissemination of the individual report/information is dependent on the BIE.

BIE Response: Funding amounts are Congressionally appropriated on an annual basis.

- b) The accuracy of the agency's estimated of the burden (hours and cost) of the collection of information, including the validity of the methodology and assumptions used;
 - Do not have information to give a response.

BIE Response: BIE conducts outreach to grantees to seek estimated burden hours and costs. Based on the responses, BIE adjusts the estimated burden hours and costs.

- c) Ways we could enhance the quality, utility, and clarity of the information to be collected; and
 - A possibility could be an outside technical assistance provider that works directly with grantees on data collection and dissemination processes and best practices. This provider could store reports/information and allow for Tribal stakeholders to ask questions and give their own individual comments. An outside organization familiar with TEDs, like TEDNA, would be a good candidate.

BIE Response: BIE will explore the possibility of partnering with or hiring an external technical service provider.

- d) Ways we could minimize the burden of the collection of the information on the respondents, such as through the use of automated collection techniques or other forms of information technology.
- A requirement of applying and receiving the TED grant could include potential and current grantees demonstrating a degree of computer/web literacy sufficient enough to submit reports digitally or plans within the grant submission to build capacity through professional development based on established needs.

BIE Response: Fillable forms are provided where possible, but some response require a lengthier narrative description which necessitates free form documentation. Additional guidance and Q&A will be provided during webinars to offer technical assistance..

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 three 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 BIE reached out to three respondents who were involved in submitting the grant proposals and received the following feedback:

- Federal Programs Director, Department of Education and Training, Muscogee Creek Nation, 1008 E. Eufaula Street, Okmulgee, OK 74447, ;
- Consultant, Navajo Nation, PO Box 670, Window Rock, AZ ; and
- Project Coordinator, Leech Lake Band of Ojibwe, 190 Sailstar Drive, Cass Lake, MN 56633

1. Were the instructions clear?

The first respondent stated the submission process was pretty simply. The respondent liked how there were different sections to help guide the project plan. The instructions also left some autonomy in the sense that the respondent could decide how to format certain sections. The second respondent indicated the instructions were very clear on the TED and all the corresponding information provided. It was also very helpful to receive support through webinars and email. The third respondent said the instructions were clear.

BIE Response: If and when additional funding is available to allow for solicitation for new TED grant proposals, the BIE will review their narrative and make any necessary adjustments.

2. Is our estimate burden accurate?

The first respondent stated the time needed to complete their application was more than 20 hours in order to reach out to the community and gather data. The first respondent said the process was more like 30 hours. The second respondent stated the estimated burden of 20 hours is accurate for the submission of the TED Grant and all attachments. The third respondent described the application process to be around 65 hours (multiplied by 3 people = 195 hours).

BIE Response: Based on the response of 20 hours, 30 hours and 195 hours, the BIE will adjust the burden hours for preparing and submitting the proposal 81 hours from the previously submitted 111 hours.

3. Any other suggestions that could make the process less burdensome?

One respondent suggested offering technical assistance or provide further information on what has worked for other grantees. The second respondent said they had no suggestions to improve the process at this time. The third respondent asked the BIE to give the Tribes more time to prepare the grant.

BIE Response: If and when additional funding is available to allow for solicitation of new TED grant proposals, the BIE will review offer webinars as technical assistance for the application process. During the webinars, BIE staff can include, in general terms, what has worked for other grantees regarding their projects. BIE will look into extending the deadline for submissions to allow Tribes more time to respond to the application..

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

No gifts or payments are provided to respondents.

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

No assurance of confidentiality is provided. The information that is collected is subject to the requirements of the Freedom of Information 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.

No questions of a sensitive nature are asked.

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. Instead, this cost should be included under “Annual Cost to Federal Government.”**

BIE anticipates receiving grant proposals from 13 TEDs and estimates awarding grants to 10 recipients, resulting in 1,113 annual burden hours for a total of **\$61,159**.

Task	No. Respondents	No. of Responses per Year	Total Responses	Burden Hours per Response	Annual Burden Hours	Cost to Respondents*
Preparing and submitting the Proposal	13	1	13	81	1,053	\$57,862
Quarterly Financial Reports	10	4	40	1	40	\$2,198
Annual Reports	10	1	10	2	20	\$1,099
Totals	33		63		1,113	\$61,159

*To obtain the hourly rate for Tribal government employees, we used **\$36.63**, the wages and salaries figure for all workers from BLS Release USDL 18-1941, *Employer costs per hour worked for employee compensation and costs as a percent of total compensation: civilian workers, by occupational and industry group, September 2018*. To account for benefits, we then multiplied this rate by 1.5, to obtain a total rate of **\$54.95**. See <http://www.bls.gov/news.release/pdf/ecec.pdf>.

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.**

There are no non-hour cost burdens associated with this collection. As part of the grant proposal process, BIE will hold pre-grant proposal training sessions that will include webinars. The BIE will provide technical assistance to Tribes and go over all required information for a successful grant proposal. The webinars will be provided at no cost to applicants.

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.

We estimate the annual cost to the Federal Government to implement this information collection to be **\$9,422**.

Task	No. Respondents	No. of Responses per Year	Total Annual Responses	Federal Burden Hours per Response	Annual Burden Hours	Total Cost
Reviewing	13	1	13	5 hours	65	\$5,796

Proposals						
Quarterly Reports	10	4	40	1 hour	40	\$3,373
Annual Reports	10	1	10	15 minutes	3	\$253
Totals			63		108	\$9,422

* Salary is based on a mix of personnel including, Program Analysts, Solicitors, and Project Managers (includes GS-15/4, GS-14/10, GS-14/5, GS-14/3, and GS-13/1). BIE has averaged the hourly rate required based on the mix of personnel required for each task, using the Office of Personnel Management Salary Table 2019-GS (<https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/19Tables/html/RUS.aspx>.) Both of these estimated average salary costs include a multiplier to account for benefits.

- *The average hourly salary based on the mix of all personnel required for review of the grant proposals to be **\$89.17** per hour including a 1.6 benefits multiplier; and
- **Only the GS-14/3 is required for review of the quarterly report and the annual report of **\$84.32** per hour, including a 1.6 benefits multiplier.

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

The respondent burden hours were adjusted based on the feedback received on the preparing and submitting the proposal. The BIE will use the average of the three to adjust the burden hours for preparing and submitting the proposal. The last feedback BIE received included the time it took to get a signature from the Tribal chairman. The time needed to obtain a Tribal chairman signature was not factored into the most current feedback by all respondents and it also varies by Tribe and respondent (i.e., larger Tribes with larger government structures take more time to obtain signatures). Depending on the size and organizational structure of the Tribe, obtaining approval signatures could take very little time or a significant amount of time. Based on the responses we received, the one response factoring a significant amount of time to obtain the Tribal chairman’s signature was uniquely long based on the familiarity that BIE has working with various Tribes on this program. This time is essentially wait-time and not production time, therefore the BIE did not factor in the total wait-time related to this collection. Instead, BIE focused on the amount of time it takes to produce and submit the information and based this educated estimate on previous and current experience working closely with all Tribes that submit the information.

Additionally, the non-hour cost burden was eliminated. There are no non-hour cost burdens associated with this renewal. Previously, BIE held pre-grant proposal training sessions that occurred in-person sessions and webinars. The BIE has eliminated the in-person sessions and only conducts webinars currently. The webinars are provided at no cost to applicants and applicants do not incur any expenses, like travel, that they did when the sessions were conducted in-person.

- 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.**

The results of this information collection will not be published.

- 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 OMB control number and expiration date will be displayed on the solicitation for proposals as well as on other appropriate materials.

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

There are no exceptions to the certification statement.