

SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT SUBMISSION

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 section. Please limit pasted text to no longer than 3 pages. 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.

This is a request to revise the information collection used by the U.S. Department of Education to gather annual reports from eligible agencies under the Carl D. Perkins Career and Technical Education Act, as amended by the Strengthening Career and Technical Education for the 21st Century Act (Public Law 115-224) (Perkins V or the Act). Annual reports consist of narrative information, financial status reports (FSRs), and performance data pursuant to the Act and applicable Federal regulations pursuant to the Uniform Guidance (2 CFR 200) and Education Department General Administrative Regulations (2 CFR 76). Eligible agencies are the State boards, or sole State agencies, responsible for career and technical education in the 50 States; the District of Columbia; Puerto Rico; the outlying areas of the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Marianas Islands; and the Republic of Palau.¹

Section 113(b)(3)(C) of Perkins V requires each eligible agency that receives an allotment under section 111 to annually prepare and submit to the Secretary a report regarding—

- the progress of the State in achieving the State determined levels of performance on the core indicators of performance described in section 113(b)(2) of the Act.
- the actual levels of performance for all career and technical education (CTE) concentrators, and for each of the subgroups of students, as described in section

¹ Under the prior Carl D. Perkins Career and Technical Education Act of 2006 (Perkins IV) legislation, American Samoa and the Northern Marianas Islands did not use Perkins funds for career and technical education as part of their consolidated grant awards under 34 CFR 76.125 through 76.137. Beginning in 2018, Guam incorporated Perkins into a consolidated grant award, but did not allocate Perkins funds for career and technical education. Accordingly, these entities are not included in the burden hour estimates in Item 12 of this statement.

1111(h)(1)(C)(ii)² of the Elementary and Secondary Education Act of 1965, and special populations, as described in section 3(48) of Perkins V.

Each eligible agency also must disaggregate data for each of the core indicators for the subgroups of students, as described in section 1111(h)(1)(C)(ii) of the ESEA, and special populations, as described in section 3(48), that are served under this Act; and (bb) by the career and technical education programs or programs of study of the CTE concentrators, except that in a case in which reporting by such program or program of study is impractical, the data may be disaggregated by the career clusters of the CTE concentrators, if appropriate.

As a recipient of Federal funds, each eligible agency must comply with the requirements for submitting annual performance reports to the Department pursuant to 2 CFR 200.328, including a comparison of actual accomplishments to the objectives of the Federal award and, if applicable, the reasons why established goals were not met.

Finally, as a recipient of Federal funds, each eligible agency must comply with the requirements for submitting annual financial reports to the Department pursuant to 2 CFR 200.327. To meet these requirements, an eligible agency must complete two separate forms, an interim FSR and a final FSR, each containing the same items. The interim FSR covers the first 12 and/or 15-month period for which the grant was awarded, while the final FSR covers the entire 27-month period for which the grant was awarded.

To enable eligible agencies to efficiently and effectively meet their annual reporting requirements, the Department has combined these reports into a single reporting instrument, the Consolidated Annual Report (CAR). Each eligible agency will submit its narrative performance report, FSRs, and performance data forms for the postsecondary core indicators to the Perkins Consolidated Annual Report (CAR) Portal at www.PerkinsCAR.com. Hard copies will not be accepted as the Department met the requirement of 2 CFR 76.720(b)93) for the transition from hard copy to electronic submission of CARs during the implementation of the Carl D. Perkins Career and Technical Education Act of 2006 (Perkins IV). The deadline for eligible agency's CAR submission is December 31 of each year.

Each eligible agency may submit its performance data forms for the secondary core indicators to the Perkins CAR Portal as noted above or to the Department's ED Facts Submission System (ESS). The deadline for the submission of data to the EdFacts system will be made by mid-December in order that each eligible agency will have time to review the data before certifying and submitting its entire CAR by the December 31 due date each year.

² The subgroups identified in 1111(h)(1)(C)(ii) of the ESEA are: 1) each major racial and ethnic group; 2) economically disadvantaged students as compared to students who are not economically disadvantaged; 3) children with disabilities as compared to children without disabilities; 4) English proficiency status; 5) gender; and 6) migrant status], 7) homeless status, 8) status as a child in foster care, and 9) status as a student with a parent who is a member of the Armed Forces (as defined in section 101(a)(4) of title 10, United States Code) on active duty (as defined in section 101(d)(5) of such title).

The new Perkins V legislation takes effect on July 1, 2019. The Secretary will use the transition authority in section 4 of the Act to delay for one year the requirement that eligible recipients submit performance data. As a result, in their December 2020 CAR submissions, covering FY 2019-20, eligible recipients need only provide their narrative report, FSRs, and enrollment data.

The current CAR expires in August 2020.

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.

The information gathered through this package will be used in a variety of ways. First, narrative and financial information are reviewed by the Office of Career and Technical Adult Education (OCTAE), Division of Academic and Technical Education (DATE), to determine each eligible agency's compliance with provisions of Perkins V and applicable Federal regulations as noted above. For example, eligible agencies are required to implement specific leadership activities in their State, as well as identify and quantify any disparities or gaps in performance on State determined performance levels between any disaggregated category of students and all CTE concentrators served by the eligible agency.

Second, DATE staff review performance data to determine whether, and to what extent, each eligible agency has met its State determined performance levels for the core indicators described in section 113(b)(2) of Perkins V. An eligible agency that did not meet at least 90 percent of the State determined performance levels for any of the core indicators described in section 113(b)(2) of Perkins V is required to develop and submit, as part of its CAR report, a program improvement plan with special consideration to the performance gaps identified under section 113(b)(2)(C)(ii)(II) of Perkins V. The improvement plan must address each core indicator(s) that a State failed to meet; disaggregated categories of students for which there were quantifiable disparities or gaps in performance compared to all students or any other category of students; steps that will be implemented, beginning in the current program year; staff members who are responsible for each action step; and the timeline for completing each action step. DATE staff will review these plans in order to determine whether they are thorough and appropriate in addressing the indicator(s) that were not met at the 90 percent level.

Third, Perkins IV section 113(c)(3)(C)(iv)(III) requires the Secretary to provide the appropriate committees of Congress copies of annual reports received by the department from each eligible agency that receives funds under the Act. Section 113(c)(3)(C)(iv)(I) further requires the Secretary to make the information contained in such reports available to the general public. To meet this obligation, DATE compiles the CAR data into an annual report to Congress and makes the data available to the public online through the Peer Collaborative Resource Network (PCRN) at <http://cte.ed.gov>.

Fourth, DATE charts its own progress in helping States to improve the educational and employment outcomes for students who pursue CTE by setting annual performance targets for each of the core indicators of performance in section 113(b)(2). Targets and performance data are entered annually into the Department's Visual Performance Suite (VPS) System.

Finally, DATE staff uses annual CAR information to determine which States will be monitored for an upcoming year or which States could benefit from technical assistance in particular areas. Annual CAR reviews results help in the identification of topics for annual Data Quality Institutes (DQIs), as well as the decision to offer customized technical assistance to States on accountability issues. This strategy has been well-received by the States and is deemed effective by our office in improving the reliability and validity of the Perkins data.

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.

Each eligible agency submits its report electronically via the Perkins CAR Portal and/or the Department's EdFacts Submission System (ESS) and. These Web sites allows an eligible agency to complete its reports using Web-based forms and to certify to the accuracy and completeness of its submission using electronic Personal Identification Numbers (PINs). It is important to note that the use of the PINs to certify and sign the CAR and FSRs is the same as certifying the documents with a hand-written signature by the State official. State officials are responsible for protecting the confidentiality of their PIN and for any use of their PIN by another individual.

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 Question 2 above.

This is a unique collection; there are no similar data collection which seek this information..

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.

This collection does not impact 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, as well as any technical or legal obstacles to reducing burden.

Without the information gathered through the CAR, the Department would be unable to determine whether, and to what extent, States were complying with the Perkins V legislation and applicable Federal regulations. Moreover, the Department would be unable to sufficiently

review each State's progress in meeting its performance levels, much less determine its own effectiveness in helping eligible agencies achieve the purposes of 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 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.**

The collection does not anticipate any such special circumstances.

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.

Both 60 and 30 day notices were published for public comments. Comments were received for both comment periods and attached with this ICR.

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

There will be no payments or gifts to respondents of this information collection.

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 ICRAS' Part 2 IC form. A confidentiality statement with a legal citation that authorizes the pledge of confidentiality should be provided. 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). 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 provided by respondents of this information collection.

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.

There are no questions of a sensitive nature contained in this information collection.

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 Question 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. (The table should at minimum include Respondent types, Number of Respondents 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 Question 14.**

To determine the estimated burden hours associated with this collection, the Department consulted the State employees who will be responsible for compiling and submitting the CAR at nine eligible agencies.

The Department estimates that responses to this information collection will be received from 54 eligible agencies each year. As indicated in the table below, the number of burden hours per response will vary in the first years of this information collection as eligible agencies transition to the new requirements of Perkins V. For this first submission in FY 2020, covering the transition year FY 2019-20, each eligible agency will submit only its narrative report, fiscal report, and enrollment data.

| Year | Estimated Number of Responses | Type of Staff | Estimated Number of Burden Hours Per Response | Total Estimated Number of Burden Hours |
|----------------|-------------------------------|---------------|---|--|
| 2020 | 54 | Professional | 40 | 2,160 |
| 2021 | 54 | Professional | 270 | 14,580 |
| 2022 | 54 | Professional | 221 | 11,934 |
| TOTAL | 162 | | 531 | 28,674 |
| 3-Year Average | 54 | | 177 | 9,558 |

We estimate the total cost per hour of the professional staff who will carry out this work to be \$59.23 per hour, the mean hourly compensation cost for State and local government workers who were in management, professional, and related occupations in June 2018.³ As indicated in the table below, the total annualized cost to respondents will vary for the first three (3) years of this information collection due to the factors described in Item 12 of this supporting statement.

³ Bureau of Labor Statistics, U.S. Department of Labor, Employer Costs for Employee Compensation Historical Listing, National Compensation Survey, retrieved from <https://www.bls.gov/web/ecec/ececqrtn.pdf>

| Year | Type of Staff | Total Estimated Number of Burden Hours | Estimated Hourly Cost | Total Costs (Rounded to the Nearest .10) |
|----------------|---------------|--|-----------------------|--|
| 2020 | Professional | 1,080 | \$59.23 | \$63,968.40 |
| 2021 | Professional | 14,580 | \$59.23 | \$863,573.4 |
| 2022 | Professional | 11,934 | \$59.23 | \$706,850.82 |
| TOTAL | | 27,594 | | \$1,634,392.62 |
| 3-Year Average | | 9,198 | \$59.23 | \$544,797.54 |

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 Questions 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 Question 12.

There are no such costs to respondents.

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 Questions 12, 13, and 14 in a single table.

The annual cost to the Federal government to implement this information collection is estimated at \$59,036. This includes contractor beta testing and web site maintenance, and the salaries and expenses of DATE program staff who manage the process and review the CAR data. The method used to estimate the annual cost is as follows:

| | |
|------------------------------|--------------|
| Program Office Staff: | |
| 1 GS-15 X 40 hours = | \$ 2,928.00 |
| 2 GS-14 X 80 hours = | \$ 9,256.80 |
| 4 GS-13 X 80 hours = | \$ 16,851.20 |
| Total Program Office Staff = | \$ 29,036.00 |
| Contractor Staff = | \$ 30,000.00 |
| ESTIMATED FEDERAL COST = | \$ 59,036.00 |

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).

There are adjustments to the annual burden inventor for this collection of data as a result of the enactment of the Perkins V Act and implementation of the new legislative provisions and requirements.

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.

An annual report to Congress is prepared and published using the information collected in the CAR instrument. Enrollment and accountability data are also made available on the Department's Perkins Collaborative Resource Network (PCRN) at cte.ed.gov. On the PCRN, interested parties can view data for individual States, as well as run customized reports with aggregated and disaggregated data on the students who participate and concentrate in CTE programs across the nation.

17. 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.

Below is the general schedule for production:

| Task | Timeline |
|--|--|
| States submit CAR data | December 31 (deadline for reporting each year) |
| DATE staff review State's CAR submissions | January 1 – March 15 |
| States receive notification on the approval of their CAR submissions | March 15 |
| DATE staff, in collaboration with contractors, tabulate data and prepare individual State profiles | March 15 – April 15 |
| DATE staff develops draft report | May 15 |
| DATE staff submits final draft report for Department clearance | June 1 |
| DATE staff submits final report for Office of Communications and Outreach for final editing and printing | June 30 |
| DATE staff submits final report to Congress | July 15 |

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

We are not seeking this approval.

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

There are no exceptions to the certification statement identified in the Certification of Paperwork Reduction Act.