

SUPPORTING STATEMENT  
FOR PAPERWORK REDUCTION ACT SUBMISSION

- 1. Explain the circumstances that make the collection of information necessary. What is the purpose for this information collection? Identify any legal or administrative requirements that necessitate the collection. Include a citation that authorizes the collection of information. 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, list the sections with a brief description of the information collection requirement, and/or changes to sections, if applicable.**

The Education Innovation and Research (EIR) Fund was established under section Section 4611 of the Elementary and Secondary Education Act, as amended. Since this is a competitive program, the Department of Education (Department) needs to collect applications in order to determine which eligible applicants should receive a grant award. In FY20, the Department will make two types of awards under this program: Mid-phase Grants and Early-phase Grants. This paperwork reduction act submission is intended for Early-phase Grants in FY20 and any other subsequent year that the selection criteria established via rulemaking are used. These grants will provide funding to support eligible entities<sup>1</sup> to create, develop, implement, replicate, or take to scale entrepreneurial, evidence-based, field-initiated innovations to improve student achievement and attainment for high-need students; and rigorously evaluate such innovations.

On April 13, 2020 the Department published in the Federal Register a Notice of Proposed Priorities, Requirements, Definition, and Selection Criteria for EIR's Teacher-Directed Professional Learning Experiences (Vol. 85, No. 71, pages 20455-20460). Specifically, the Department proposed a new priority and accompanying application requirements, definition, and selection criteria for applicants proposing to empower teachers to select professional learning. The Innovation and Early Learning Programs Division of the Department is requesting a reinstatement with change of the previously OMB approved 1855-0021 collection due to this rulemaking for the EIR program authorized under Title VI, Part F, Subpart 1, of the Elementary and Secondary Education Act, as amended by ESSA. The EIR Grant (CFDA 84.411) program is a competitive discretionary grant program. The grant applications submitted for this program are evaluated on the basis of how well an applicant addresses the selection criteria and are used to determine applicant eligibility and amount of award for projects selected for funding.

The selection criteria used for the EIR Grant program include general selection criteria from 34 CFR 75.210 and will include selection criteria as published in the Federal Register as a Notice of Proposed Priorities, Requirements, Definition, and Selection Criteria on April 13, 2020 (Vol. 85, No. 71, pages 20455-20460) and which will be finalized in a Notice of Final Priorities, expected approximately July 1, 2020.

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<sup>1</sup> Local educational agency (LEA); State educational agency; The Bureau of Indian Education; consortium of State educational agencies or LEAs; a nonprofit organization; and a State educational agency, an LEA, a consortium of LEAs or State educational agencies, or the Bureau of Indian Education, in partnership with a nonprofit organization, business, educational service agency, or institution of higher education

This is a request for a reinstatement with change of the previously OMB approved collection 1855-0021 due to new Proposed Priorities, Requirements, Definition, and Selection Criteria for EIR's Teacher-Directed Professional Learning Experiences.

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 type of information provided in the application includes: the purpose of the project; the objectives, activities, and timelines for the funding period requested, qualifications of key personnel; the evaluation procedures to be used to measure progress and effectiveness of the project; and a detailed budget and description of resources.

Eligible applicants submit the information to describe the project for which funding is requested. The information provided by the applicant addresses the selection criteria for the program. The application is evaluated through a peer review process and an application's score is used to determine its ranking and selection for funding.

The information collected reflects the specific components of the selection criteria and program services that are to be provided.

Eligible applicants for the EIR program include:

- (a) A local educational agency (LEA);
- (b) A State educational agency (SEA);
- (c) The Bureau of Indian Education (BIE);
- (d) A consortium of SEAs or LEAs;
- (e) A nonprofit organization; and
- (f) An SEA, an LEA, a consortium described in (d), or the BIE, in partnership with--
  - (1) A nonprofit organization;
  - (2) A business;
  - (3) An educational service agency; or
  - (4) An institution of higher education.

Note: An LEA includes a public charter school that operates as an LEA.

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. Please identify systems or websites used to electronically collect this information. Also describe any consideration given to using technology to reduce burden. If there is an increase or decrease in burden related to using technology (e.g. using an electronic form, system or website from paper), please explain in number 12.**

This grant program will require electronic submission of applications through the grants.gov system. For those applicants that do not have the capability for on-line submissions through the Internet, the application may also be submitted in hard copy format if an exception is requested in writing at least two weeks prior to the closing date.

All performance reports for this grant program must be submitted through the Department's e-reports system enabling on-line administration and review of the projects.

- 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.**

No duplication of effort exists. This information collection requests information specifically for discretionary EIR programs authorized under section 4611 of the Elementary and Secondary Education Act. Applicants will be required to provide information that addresses the statutory purpose and requirements, as well as the selection criteria.

- 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 information collection requirement impacts small entities, but the Department will limit the collection to only that information necessary to make grant awards, in order to minimize the burden on small entities. Small entities may also propose a planning period, in which they will be able to submit information that needs to be collected once the planning period is over.

- 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.**

If this information is not collected, the Department will be unable to make grant awards in a timely manner. Applications provide information describing the project for which funding is requested. The information collected is necessary to evaluate the applications and select projects for funding annually.

- 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.

No such circumstances exist.

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.

**Include a citation for the 60 day comment period (e.g. Vol. 84 FR ##### and the date of publication). Summarize public comments received in response to the 60 day notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden. If only non-substantive comments are provided, please provide a statement to that effect and that it did not relate or warrant any changes to this information collection request. In your comments, please also indicate the number of public comments received.**

**For the 30 day notice, indicate that a notice will be published. 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.**

On April 13, 2020, the Department posted a Federal Register notice of proposed priorities, requirements, definition, and selection criteria for the Teacher-Directed Professional Learning Experiences Program as part of the EIR program with a 30 day comment period ending May 13, 2020 (Vol. 85, No. 71, pages 20455-20460). We identified the following sections as involving information collection requirements (ICR) for the program application package. At that time, no Information Collection Request was submitted concurrently. We are publishing a separate 30-day FRN to solicit public comment on the paperwork burden.

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

No payments or gifts to respondents will be provided.

**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.<sup>2</sup> 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. If no PII will be collected, state that no assurance of confidentiality is provided to respondents. If the Paperwork Burden Statement is not included physically on a form, you may include it here. Please ensure that your response per respondent matches the estimate provided in number 12.**

Confidential information is not requested. However, some applicants may include information within an application that is personally identifiable. Such information, which may include resumes of staff with home addresses, home telephone numbers, or similar personal information, is not released under the exemptions of the Freedom of Information Act.

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<sup>2</sup> 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)

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.**

Information of a sensitive nature is not requested.

12. **Provide estimates of the hour burden for this current information collection request. The statement should:**

- **Provide an explanation of how the burden was estimated, including identification of burden type: recordkeeping, reporting or third party disclosure. Address changes in burden due to the use of technology (if applicable). Generally, estimates should not include burden hours for customary and usual business practices.**
- **Please do not include increases in burden and respondents numerically in this table. Explain these changes in number 15.**
- **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. 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 this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burden in the table below.**
- **Provide estimates of annualized cost to respondents of the hour burdens for collections of information, identifying and using appropriate wage rate categories. [Use this site](#) to research the appropriate wage rate. 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. If there is no cost to respondents, indicate by entering 0 in the chart below and/or provide a statement.**

**Provide a descriptive narrative here in addition to completing the table below with burden hour estimates.**

#### **Estimated Annual Burden and Respondent Costs Table**

The estimated total number of applications anticipated is based on past experience with these programs. It is estimated that a total of 50 applications will be received annually for the grant competition. The estimated burden includes reporting (development and typing) for all

applicants, and recordkeeping and maintenance of evaluation information by actual grantees. We estimate that it will take 30 hours for a respondent to complete the application making for a total of 1,500 burden hours for the public.

Information Activity or IC (with type of respondent)	Respondent Response Rate (if applicable)	Number of Respondents	Number of Responses	Average Burden Hours per Response	Total Annual Burden Hours	Estimated Respondent Average Hourly Wage	Total Annual Costs (hourly wage x total burden hours)
Applicant	Once	50	50	30	1500	\$40.33	\$61,250
Annualized Totals		50	50	30	1500	\$40.33	\$61,250

The cost per applicant for compilation of the information and completion of the application is estimated to take 30 hours. Estimates are based on the basic hourly rate of a GS 13/1 for development of the application and the basic hourly salary of a GS 4/1 for clerical support. This makes for a total cost burden of \$61,250 for applicants.

Annual Cost to Respondents for the hour burden associated with the collection of information:

Estimated GS Level	Number of Hours	Pay/Hour	Cost/Application	Total Cost for all 50 applications
13/1	25	46	1,150	57,500
4/1	5	15	75	3,750

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 :  
 Total Annual Costs (O&M) : \_\_\_\_\_  
 Total Annualized Costs Requested :

There is no additional annual cost burden to respondents and record keepers from this collection of information.

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.**

We estimate it will take 2 staff at the GS 13 level 35 hours to review applications for eligibility. This will result in a total cost to the federal government of 2 Staff at \$46/hour X 35 hours each staff person must work = \$6,440. In addition, the Department has contractor support to conduct the peer review process. The Department can use up to 1 percent of the discretionary budget for peer review costs; the total allocation for FY 2020 is \$190,000,000 so the total available for peer review is \$1,900,000 of which the current contract is \$533,886.54. We estimate funding for new awards in FY 2020 will be \$178,000,000. The total cost to the Department for this collection is estimated to be \$540,326.54 .

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).

**Provide a descriptive narrative for the reasons of any change in addition to completing the table with the burden hour change(s) here.**

This is a request for reinstatement with change. We are making this request due to the rulemaking related to the Teacher-Directed Professional Learning Experiences program. The new selection criteria and application requirements will result in an estimated 1,500 burden hours and 50 responses.

	<b>Program Change Due to New Statute</b>	<b>Program Change Due to Agency Discretion</b>	<b>Change Due to Adjustment in Agency Estimate</b>
<b>Total Burden</b>	<b>1,500 hours</b>		
<b>Total Responses</b>	<b>50 responses</b>		
<b>Total Costs (if applicable)</b>	<b>61,250</b>		

- 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.**

Successful application narratives will be redacted and posted on the program website.

- 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.**

Such approval is not being requested.

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

There are no exceptions to the certifications.