

SUPPORTING STATEMENT - PART A

DoD Postsecondary Education Complaint Records Collection – 0704-0501

Summary of Changes from Previously Approved Collection
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| <ul style="list-style-type: none">• Burden increased due to an increase in the number of respondents. |
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1. Need for the Information Collection

In April 2012, President Barack Obama signed Executive Order 13607-- Establishing Principles of Excellence for Educational Institutions Serving Service Members, Veterans, Spouses, and Other Family Members. The Executive Order (EO) is designed to provide protections, enhance resources and support tools available to Service members and Veterans using military tuition assistance, and Veterans using Post 9/11 and GI Bill benefits to pursue a higher education. The EO:

- Requires that DoD ensure student protections are put into place for Service members, Spouses, and other adult Family members.
- Requires the Department of Defense (DoD) to promptly revise regulations, instructions, guidance documents, memoranda of understanding
- Encourages the federal agencies to expand oversight activities to better address military student concerns, and to ensure military students and Veterans receive quality educational opportunities in exchange for their federal education benefits.

The EO also directs the Secretaries of Defense, Veterans Affairs (VA), and Education, in consultation with the Directors of the Consumer Financial Protection Bureau (CFPB), the Department of Justice, and the Federal Trade Commission to develop a centralized complaint process for students receiving Federal military and veteran's educational benefits. In July 2012, DoD and the aforementioned federal agencies designed a complaint intake form to be utilized by both DoD and VA; and to meet the Principles of Excellence (PoE) requirements. The DoD and VA intake forms contain the same data elements with slight variations as necessary to meet the requirements for both agencies respectively. DoD developed its Postsecondary Education Complaint Management System (PECS), to house the Intake form and to monitor and manage incoming complaints. The DoD implemented both the Postsecondary Education Complaint Intake form and the Postsecondary Education Complaint Management System on January 30, 2014.

The Postsecondary Education Complaint information collection is necessary to meet the requirements of the EO and to obtain, document, and respond to complaints, questions, and other issues concerning educational programs and services provided to military students, and their adult Family members. It allows DoD to monitor and track the types of complaint issues that are submitted, the complaint content, the educational institutions the complaints have been filed against, the type of education benefits being used, and the branch of the military Service. The information collection is invaluable to DoD in that it allows the

Department to: (1) have greater oversight on specific issues that concern Service members and Spouses who are pursuing higher education, (2) maintain a collaborative environment with the Military Departments as complaint cases are tracked and managed, (3) improve outreach and communication with Service members and Spouses, and (4) address the reported issue(s) with the educational institution. Moreover, it serves as a convenient resource for students receiving military, MyCAA, and veteran educational benefits to raise concerns and is an effective process for submitting complaints against institutions they feel have acted deceptively or fraudulently.

2. Use of Information

The information collected via the DoD Intake form is used to assist in further developing and shaping of relevant mitigating and preventative measures concerning abusive, deceptive, and fraudulent practices against Service members and Spouses who are pursuing higher education utilizing TA and MyCAA. Service members and their adult family members (hereinafter “respondents”) can now complete and submit a complaint Intake form electronically via URL at: <https://www.militaryonesource.mil/education-employment/for-service-members/choosing-a-college/postsecondary-education-complaint-system>. The Intake is a web-based form that will present a respondent with specific questions through dynamic generation based on the respondents’ answers, leading to fewer questions presented and to a more efficient completion time of the intake form. The questions within the intake form prompt respondents for a description of the complaint at issue, the respondents’ desired resolution, their preferred contact information, identification of the educational institution they are filing a complaint against, and any previous action taken to attempt to resolve the complaint. Responses to these questions will help document the substance of the complaint, and provide complaint case managers necessary information to properly research the case with the postsecondary educational institution. The complaint information will also help DoD to monitor and identify egregious acts, discrimination, and other violations of the EO across the Military Departments and in the MyCAA populations.

The process for filing a complaint includes the following steps:

- 1) The respondent accesses the Intake via URL: <https://www.militaryonesource.mil/education-employment/for-service-members/choosing-a-college/postsecondary-education-complaint-system>.
- 2) The respondent completes the data elements specified in the DoD Intake form and submits the form electronically.
- 3) A summary of the Intake form details are then emailed to the respondent upon successful submission, along with assigned unique case ID#.
- 4) Upon submission by the respondent, the complaint immediately appears in the PECS as a “*pending*” case.
- 5) The Intake form is assigned to a Level 2 user, which would be one of the Military Department Voluntary Education Chiefs (Air Force, Army, Marines, Navy) or the MyCAA program manager and/or both of their respective designees at level 2. Notification is sent via the PECS email to the Level 2 user(s) that they have received a pending case. Each Service and the MyCAA Program Manager identifies the designees who will be assigned as Level 2

complaint case managers. Level 2 users can transfer a case down to Level 1 for management and resolution when it is appropriate to do so. Level 1 includes the field level for the Military Departments and MyCAA counselors.

6) The complaint case manager will review the complaint within a 72-hour period and take one of the following actions:

- a) Resolve at the Service Level and respond; or
- b) Route to the appropriate Level 1 designee to resolve and respond; or
- c) Route to OSD to resolve and respond; or
- d) Transfer to VA or ED if appropriate

7) A complaint case will continue in a *pending* status until it has an assigned manager. Upon taking ownership of a pending complaint case, the user becomes the assigned case owner and the case status is updated to “*Reserved*”.

8) After taking ownership of the now “reserved” complaint, the complaint case manager will review the assigned complaint case to determine whether the complaint meets the Principles of Excellence (PoE) parameters.

9) If the case meets the PoE parameters, the case is then updated to an “active” status.

10) At this point when the case is updated to “active”, a system-generated email is then sent to the respondent (service member or spouse) notifying him or her that their case is now active. If needed, the case manager will request additional information from the service member or spouse and will continue to provide them with updates as the case is being worked.

11) The case manager will then contact the educational institution to discuss the complaint issue(s) and request a written response and any actions taken.

12) Upon receipt of the educational institution’s response, the case manager will review it to ensure that it provides the best resolution for the service member or spouse and school.

13) The case manager then communicates the resolution to the Service member or spouse via the PECS management system email capability.

14) Once a resolution has been reached, the complaint case is closed.

15) When a complaint case cannot be resolved at the Service level and warrants escalation, the complaint information is transferred up to the DoD, Office of the Assistant Secretary of Defense (Readiness), Force Education, Voluntary Education office for review and resolution.

16) When a complaint case does not fall within the PoE parameters, the Level 2 user navigates the case through the close case process and assigns a close reason of *Invalid*. The case manager will enter notes concerning why the case is considered an invalid case. Cases may be considered as invalid when they lack the needed information to research the issues and the complainant does not respond to several attempts made to reach him or her. Cases may also be considered invalid if they pertain to issues that can be resolved at the base level and do not fall within the PoE parameters. When this occurs, the complaint case is sent to the installation level for resolution.

17) Complaint cases that fall outside the purview of DoD are transferred to the appropriate agency. For example, cases that concern financial aid issues are transferred to the Department of Education for review and resolution; and complaint cases that concern Post 9/11 GI Bill are transferred to the Department of Veteran Affairs for review and resolution.

18) All DoD complaint cases are referred to the Federal Trade Commission’s Consumer Sentinel System which serves as the centralized repository for all (DoD and VA) complaints. Complaint cases that meet PoE parameters and concern unlawful practices may be reviewed for further investigation by the Department of Justice, the CFPB and other relevant agencies

as appropriate, for possible enforcement action.

3. Use of Information Technology

The DoD Intake form is an electronic form that is housed within the DoD PECS Management System. The PECS Intake form is accessed at <https://www.militaryonesource.mil/education-employment/for-service-members/choosing-a-college/postsecondary-education-complaint-system>. The PECS Intake form electronically collects 100 percent of the responses submitted, and each response is managed via the DoD PECS Management System. On average 917 responses were collected via the Intake form per fiscal year.

4. Non-duplication

The information obtained through this collection is unique and is not already available for use or adaptation from another cleared source.

5. Burden on Small Business

This information collection does not impose a significant economic impact on a substantial number of small businesses or entities.

6. Less Frequent Collection

Information is collected via the PECS Intake form upon the occasion that a respondent submits a complaint. If DoD is not able to collect this information upon submission, it would be difficult for the Department to detect and resolve aggressive, deceptive, and/or illegal practices that our students experience as they pursue higher education at postsecondary education institutions of higher learning.

7. Paperwork Reduction Act Guidelines

This collection of information does not require collection to be conducted in a manner inconsistent with the guidelines delineated in 5 CFR 1320.5(d)(2).

8. Consultation and Public Comments

Part A: PUBLIC NOTICE

A 60-Day Federal Register Notice (FRN) for the collection published on Monday, July 27, 2020. The 60-Day FRN citation is 85 FRN 45205. No comments were received during the 60-Day Comment Period.

A 30-Day Federal Register Notice for the collection published on Friday, November 27, 2020. The 30-Day FRN citation is 85 FRN 76068 .

Part B: CONSULTATION

No additional consultation apart from soliciting public comments through the Federal Register was conducted for this submission.

9. Gifts or Payment

No payments or gifts are being offered to respondents as an incentive to participate in the collection.

10. Confidentiality

This collection instrument requires a Privacy Act Statement (PAS). The respondent is presented with the Notice and Consent statement and the PAS when first accessing the PECS Intake form.

This information collection requires a SORN, DPR 44 DoD, DoD Postsecondary Education Complaint System (PECS), currently published at:
<https://dpcl.d.defense.gov/Portals/49/Documents/Privacy/SORNs/OSDJS/DPR-44-DoD.pdf>.

This collection requires a PIA. A draft copy of the PIA, DoD Postsecondary Education Complaint System (PECS), has been provided with this package for OMB's review.

For this information collection disposition, system records are destroyed three years after the resolution of the case. Copies of closed complaint cases are transferred to the Federal Trade Commission's Consumer Sentinel System.

11. Sensitive Questions

No questions considered sensitive are being asked in this collection; however, the DoD PECS Intake form includes an optional question, which prompts the respondent for his or her age group, which will be used as a metric to help identify possible issues related to students in a particular age group.

12. Respondent Burden, and its Labor Costs

Part A: ESTIMATION OF RESPONDENT BURDEN

1) Collection Instrument(s)

DoD Postsecondary Education Complaint Intake

- a) Number of Respondents: 917
- b) Number of Responses Per Respondent: 1
- c) Number of Total Annual Responses: 917
- d) Response Time: 15 minutes
- e) Respondent Burden Hours: 229

- 2) Total Submission Burden
 - a) Total Number of Respondents: 917
 - b) Total Number of Annual Responses: 917
 - c) Total Respondent Burden Hours: 229

Part B: LABOR COST OF RESPONDENT BURDEN

- 1) Collection Instrument(s)
 - DoD Postsecondary Education Complaint Intake
 - a) Number of Total Annual Responses: 917
 - b) Response time: 15 minutes
 - c) Respondent Hourly Wage: \$11.40
 - d) Labor Burden per Response: \$2.85
 - e) Total Labor Burden: \$2613.45
- 2) Total Submission Burden
 - a) Total Number of Annual Responses: 917
 - b) Total Labor Burden: \$2613.45

13. Respondent Costs Other than Burden Hour Costs

There are no annualized costs to respondents other than the labor burden costs addressed in Section 12 of this document to complete this collection.

14. Cost to the Federal Government

Part A: LABOR COST TO THE FEDERAL GOVERNMENT

- 1) Collection Instrument(s)
 - DoD Postsecondary Education Complaint Intake
 - a) Number of Total Annual Responses: 917
 - b) Processing Time per Response: 30 minutes
 - c) Hourly Wage of Worker(s) Processing Responses: \$20.00
 - d) Cost to Process Each Response: \$10.00
 - e) Total Cost to Process Responses: \$9,170.00
- 2) Overall Labor Burden to the Federal Government
 - a) Total Number of Annual Responses: 917
 - b) Total Labor Burden: \$9,170.00

The cost to the federal government was calculated using the average salary for GS 11 worker divided by the hourly divisor of 2087 divided by 2 based on the averaged 30 minute processing time. The complaints that are more complicated may take longer amount of time to

process. Information obtained from:

<http://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2020/GS.pdf>

<https://www.opm.gov/policy-data-oversight/pay-leave/pay-administration/fact-sheets/computing-hourly-rates-of-pay-using-the-2087-hour-divisor/>.

Part B: OPERATIONAL AND MAINTENANCE COSTS

1) Cost Categories

- a) Equipment: \$0
- b) Printing: \$0
- c) Postage: \$0
- d) Software Purchases: \$0
- e) Licensing Costs: \$0
- f) Other: \$62,400

2) Total Operational and Maintenance Cost: \$62,400

Part C: TOTAL COST TO THE FEDERAL GOVERNMENT

1) Total Labor Cost to the Federal Government: \$40,000

2) Total Operational and Maintenance Costs: \$62,400

3) Total Cost to the Federal Government: 102,400

15. Reasons for Change in Burden

The burden has increased since the previous approval date, as this submission includes a calculation of the average number of respondent collections from October 1, 2014 to June 1, 2020; whereas the previous submission only counted from (January 30, 2014 – September 30, 2014).

16. Publication of Results

The DoD Postsecondary Education Complaint Intake Form collection may be published at the aggregate level in DoD summaries, reports, and briefings as requested; however, the responses of individual respondents will not be identifiable.

17. Non-Display of OMB Expiration Date

We are not seeking approval to omit the display of the expiration date of the OMB approval on the collection instrument.

18. Exceptions to “Certification for Paperwork Reduction Submissions”

We are not requesting any exemptions to the provisions stated in 5 CFR 1320.9.