

SUPPORTING STATEMENT
FOR PAPERWORK REDUCTION ACT SUBMISSION

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a hard copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information, or you may provide a valid URL link or paste the applicable section¹. Specify the review type of the collection (new, revision, extension, reinstatement with change, reinstatement without change). If revised, briefly specify the changes. If a rulemaking is involved, make note of the sections or changed sections, if applicable.**

Introduction

The Indian Education Formula Grant (CFDA 84.060A) program provides grants to local education agencies (LEAs), Indian Tribe(s), Indian organizations (IOs) or Indian community-based organizations (ICBOs) who create programs to meet the unique cultural, language, and educational needs of American Indian and Alaska Native students to ensure that all students meet the challenging State academic standards. The programs must be used to carry out a comprehensive program for Indian students and must supplement the regular school program.

The Indian Education Formula Grant requires the annual submission of the Electronic Application System for Indian Education (Formula Grant EASIE) through an electronic portal housed on Federally managed and secured servers (computers). The system is web-based and includes the entire applicant submission process. The Office of Indian Education (OIE) is submitting this application to request to: collect the Indian student count and verify eligibility types of applicants; calculate initial and final grant allocations from applicant submitted Indian student counts; collect information for coordination of services for American Indian/Alaska Native (AI/AN) students, a project description, and budget information; facilitate OIE application requirement review of applicant submitted data. In addition, reports generated from this information collection data will be used by OIE to document information on the characteristics of applicants. The forms and protocols contained in this package include the ED Form 506 Indian Student Eligibility Form, Sample Part I Formula Grant EASIE Application, Consortium Agreement form, Tribes Evidence of Eligibility Form, Indian Organization Evidence of Eligibility Agreement Form, Indian Community Based Organization Evidence of Eligibility Agreement Form, Form Sample Part II Formula Grant EASIE Application Form, and Indian Parent Committee Approval Form.

OMB Reporting History and Legislative Authority

OMB's most recent clearance was granted for the EASIE Part I and EASIE Part II under OMB No. 1810-0021 (Exp. 04/30/2023). This is a request for a change that will decrease the total burden by 1,950 hours and \$39,000 for the public. The annual information collection cost burden amount has decreased based upon a reduction in content requests and information included in EASIE Part I and Part II, and therefore a reduction in burden to complete the overall application.

Indian Education formula grants to LEAs and Tribes are authorized under Title VI, Part A, Subpart 1 of the Elementary and Secondary Education Act of 1965, as amended (ESEA) (Sections 6111-6119 of the ESEA, 20 U.S.C. §§7421-7429).
<https://legcounsel.house.gov/Comps/Elementary%20And%20Secondary%20Education%20Act%20Of%201965.pdf>

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

- 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 program office uses the information to determine applicant eligibility, the allocation for each eligible applicant based on an Indian student count, and whether the proposed project meets the purpose and requirements of the legislation for awarding grant applications. Annually, applicants complete the application in two parts with two established and published deadlines. The information collected from each part ensures all required documents are provided and eligibility requirements are met. Projects are funded annually for one budget year. The information collected is also used for reporting under Government Performance and Results Act of 1993 (GPRA) reporting requirements via an Annual Performance Report (APR).

- 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.**

All data are collected online and maintained on a Federally-managed and secured server. Applicant information has historically been collected through ED's EDEN (electronic) portal. The system is web-based and includes the entire applicant submission process.

The use of technology affords ED staff greater access to and use of data by: (1) providing staff the ability to review applications; (2) aggregating and analyzing responses to specific programmatic questions and (3) storing and managing the approximately 1,300 applications and supporting documents received each year from applicants electronically in a downloadable .pdf.

Electronic collection affords greater efficiency for applicants/grantees by: (1) eliminating the need to print and mail the application; (2) providing technical assistance; (3) ensuring that all questions are completed fully and correctly. Additionally, the web-based system pre-populates information collected during registration, so ED does not request duplicate information from applicants. The application also calculates tables and charts to reduce burden on the applicants and ED staff.

The data collection instruments, and frequently asked questions are available online to respondents.

- 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.**

There will be no duplication of reporting effort. This information requested information specifically for Indian Education programs as authorized under section 6116 of the ESEA. Applicants are required to provide information that addresses the statutory purpose of the program and program requirements. Although there are other programs in ED for American

Indian and Alaska Native children, they are authorized under different legislation and the purposes and requirements differ from those under this program.

- 5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden. A small entity may be (1) a small business which is deemed to be one that is independently owned and operated and that is not dominant in its field of operation; (2) a small organization that is any not-for-profit enterprise that is independently owned and operated and is not dominant in its field; or (3) a small government jurisdiction, which is a government of a city, county, town, township, school district, or special district with a population of less than 50,000.**

The forms were designed to solicit only the information necessary to respond to program, GPRA and APR requirements. Thus, the burden of reporting for small entities is minimized to only those elements necessary to meet federal requirements for budget and program requirement data.

- 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.**

The updated Title VI Formula Grant reduces entity burden and increases accuracy for both applicants and ED staff by entering standardized and comprehensive information into a specific online database. The information collected determines applicant eligibility, allocation, and whether the proposed project meets the purpose of the legislation. From each part, the data collected ensures all required documents are provided and application is certified by an authorized representative. It is necessary to evaluate the applications for completeness and to identify funding levels for each of the applications with the goal of awarding grants approximately July 1.

If this information is not collected, ED will be unable to make grant awards in a timely manner. Data is generated quickly and uniformly to facilitate data collection reducing burden on the applicants, increasing the quality of data that can be used for evaluation to make policy decisions and to inform Congress.

- 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;**

Only one grant per fiscal year is awarded; however, applicants complete the application in two parts with two established deadlines that are announced in the Federal Register. The information collected from each part ensures all required documents are provided and requirements are met. Applicants submit the information collection annually for each new grant year.

EASIE Application	Timeline
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Part I	January-February
Part II	April-May

- **requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**

The time period from the date of availability of the information collection, as published in the Federal Register, to the date by which respondents must respond (i.e., the closing date which is also published in the Federal Register) will not be less than 30 days for each part unless special circumstances arise such as system issues, or internet connectivity issues.

- **requiring respondents to submit more than an original and two copies of any document;**

Respondents are required to submit applications electronically through the provided electronic portal unless they have no Internet connection or inadequate web access. Applicants that meet the exception to submitting an application via the provided electronic portal are not required 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;**

Respondents will not be required to retain 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;**

The information collection is not connected with a statistical survey.

- **requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**

The information collection is not connected with a statistical survey or statistical data classification.

- **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**

The information collection does not request data that is confidential.

- **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 information collection does not request data that is of a proprietary nature or confidential.

- 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.

On August 21, 2020, a Federal Register Notice requesting public comment was published (Vol. 85, No. 163, page 51684). Eleven comments were received. Of those, nine submissions provided specific substantive comments. Comments from two parties were unrelated to the information collection and therefore were not addressed. ED has provided responses to the substantive comments. ED is publishing the applicable 30-day Federal Register notice to request public comment.

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

There are no payments or gifts to grantees in support of the data 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 IC Data Form. A confidentiality statement with a legal citation that authorizes the pledge of confidentiality should be provided.² If the collection is subject to the Privacy Act,**

² Requests for this information are in accordance with the following ED and OMB policies: Privacy Act of 1974, OMB Circular A-108 – Privacy Act Implementation – Guidelines and Responsibilities, OMB Circular A-130

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.

No PII is collected via the electronic application portal and all data collected is covered by the electronic portal's privacy threshold assessment.

- 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.

- 12. Provide estimates of the hour burden of the collection of information. The statement should:**
 - Indicate the number of respondents by affected public type (federal government, individuals or households, private sector – businesses or other for-profit, private sector – not-for-profit institutions, farms, state, local or tribal governments), frequency of response, annual hour burden, and an explanation of how the burden was estimated, including identification of burden type: recordkeeping, reporting or third party disclosure. All narrative should be included in item 12. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**
 - If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in the ROCIS IC Burden Analysis Table. (The table should at minimum include Respondent types, IC activity, Respondent and Responses, Hours/Response, and Total Hours)**
 - Provide estimates of annualized cost to respondents of the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for**

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)

information collection activities should not be included here. Instead, this cost should be included in Item 14.

Burden Hours

Exhibit 1 presents the maximum annual burden estimate for applicants and for parents and guardians.

EASIE Application Part I and Part II

Annually approximately 1,300 EASIE applications are submitted in the electronic portal system. Applicants submit once per year which includes both Part I and Part II. When an applicant submits an application for both EASIE Part I and Part II, we estimate that this will take 3.5 hours per applicant which results in an annual approximate burden of 4,550 hours, which is a reduction of 1.5 hours per applicant and total approximate reduction in burden of 1,950 hours.

ED 506 Indian Student Eligibility Forms

During any given application cycle, approximately 10,000 new ED 506 Indian Student Eligibility forms are filled out annually by parents and guardians. These ED 506 Forms are maintained by the applicant and only an aggregated Indian student count is submitted in the EASIE. Since ED 506 forms only need to be filled out once during a child’s K-12 career, these forms reflect the entry of new students into any Indian formula grant program. We estimate that each ED 506 form takes .25 hours to complete, so 10,000 new forms annually results in a total 2,500 burden hours.

Therefore, in total, we estimate the annual burden hours at 7,050 which includes the burden hours for the submission of applications. The actual number of grantees may vary due to the availability of federal appropriations, number of grant awards made, and the number of eligible students served by each project. This is our best estimate taking these variables into consideration.

Information Activity or IC (with type of respondent)	Number of Respondents	Number of Responses	Average Burden Hours per Response	Total Burden Hours	Estimated Respondent Average Hourly Wage	Total Annual Costs (hourly wage x total burden hours)
EASIE application completed by applicant.	1,300	1,300	3.5 hours	4,550	program staff/ approving authority - \$20	\$91,000
Indian Student Eligibility Form “ED 506 Form”	10,000	10,000	15 minutes	2,500	\$0	\$0

completed by parent or guardian						
Total	11,300	11,300		7,050	\$20	\$91,000

Exhibit 1: Estimated Burden and Respondent Costs

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): N/A

Total Annualized Costs Requested: N/A

There is no additional annual cost burden to respondents and recordkeepers 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.**

The total annual cost to the federal government reflects the combined costs for OIE to contract the data collection and reporting tasks and provide management and oversight of that contract.

Exhibit 3. Total Annual Cost to Federal Government by Type of Cost

Type of Cost	Cost
OIE Staff (salaries)	\$282,000
Contractor Data Services (Fixed price)	\$483,127
Total	\$765,127

The software that collects the applications for the Title VI Indian Education Formula Grants is operated and supported under a contract that is a task order under the master EDFacts contract. OIE is able to offer applicants a secure, online portal for entering data and a Help Desk to answer questions and resolve problems. These associated with costs include the development of the system, support for respondents, and preparation of reports. The majority of communications with respondents will be electronic.

- 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).**

The change in burden is due to technical changes in the forms that made them electronically fillable and a reduction in the number of questions in the collection. This change request will result in a reduction in burden of 1,950 hours and \$39,000 for the public.

- 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.**

Results of the individual information collected 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.**

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 certification.

(End)