

Implementation of Key Federal Education Policies in the Wake of the Coronavirus Pandemic

Supporting Statement for Paperwork Reduction Act Submission

PART A: Justification

December 2020

Contract ED-IES-11-C-0063

Submitted to:

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U.S. Department of Education

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Part A. Justification

The coronavirus pandemic significantly disrupted K–12 educational operations and learning in spring 2020 and is likely to do so again during the 2020–21 school year. Federal education policies and funding are intended to support state and local agencies as they respond to the crisis. But the crisis may also shape the way federal programs are carried out. The U.S. Department of Education (the Department), through its Institute for Education Sciences (IES), is requesting clearance for a new data collection to examine how the pandemic may be influencing: (1) implementation of, and waivers, from key provisions of the Elementary and Secondary Education Act, reauthorized as the Every Student Succeeds Act of 2015 (ESSA), (2) state and district use of federal funds, including those provided specifically to help in the pandemic recovery, and (3) supports for English learners (ELs) in districts with high EL enrollments. The surveys of all state education agencies and a nationally representative sample of school districts is being conducted as part of an ongoing evaluation of Titles I and IIA of ESSA. Interviews of district and school personnel in high-EL districts are being conducted as part of an ongoing evaluation of Title III of ESSA.

A.1. Circumstances Making Collection of Data Necessary

State agencies, local leaders, and the federal government are all taking unprecedented action in the wake of the coronavirus pandemic that could have long-term implications for the nation’s education system. School building closures and schedule changes, remote learning, and concerns about the progress and achievement of students who are economically disadvantaged, ELs or who have special needs¹ may continue into the 2020–21 school year, at a time when states and districts expect to experience steep cuts to their budgets.² Pandemic-related disruptions to the education system hold unique implications for ELs, who are developing their proficiency in English in addition to learning academic content. For example, some pandemic strategies like independent online learning may not provide ELs with necessary feedback and opportunities to practice oral language skills. Moreover, parents and families of ELs might face language barriers when trying to access supports for their child’s remote learning.

The Coronavirus Aid, Relief, and Economic Security (CARES) Act included \$13.2 billion for the Elementary and Secondary School Education Relief (ESSER) Fund and \$3 billion for the Governor’s Emergency Education Relief (GEER) Fund (to be directed in part to school districts) to help districts maintain continuity of operations and provide student services. Congress also allowed states to apply for a series of waivers that loosened restrictions on how federal funds could be spent. In addition, the Department waived state requirements to administer standardized assessments for the 2019–20 school year. All of these efforts can affect how ESSA is implemented and particularly whether school improvement efforts proceed.

Understanding how these policies are playing out is critical to the Department’s ability to monitor federal education programs and to improve them. Congress has recognized the importance of evaluation data collection through the Evidence-Based Policymaking Act and by providing the Department with the ability to use one-half of one percent of ESSA appropriations for this purpose. The current request to collect data in spring 2021 will allow IES to provide the Department and Congress

¹ Education Week (2020, April 30). AASA. (2020, June 16).

² Center on Budget and Policy Priorities (2020, June 15, 2020). Education Week (2020, May 28).

with information about changes in certain policies and activities from before the coronavirus pandemic (from a 2018 survey), during (the 2021 survey and interviews), and hopefully after (a long-planned survey now planned for spring 2022).

A.2. Purpose and Use of Data

The survey data will be collected by Westat and its partner, Mathematica. The interview data will be collected by the American Institutes for Research (AIR). The purpose of the data collection is to provide policy makers with a snapshot of how key federal education policies are being implemented in light of the disruptions of the coronavirus pandemic. The research questions for the data collection are as follows:

1. **How did the coronavirus pandemic affect key school operations during the 2020–21 school year?** For example, for states that require a minimum number of days of instruction, did any districts receive a waiver from this requirement? And, if so, how many? How many days of on-campus, in person instruction occurred? To what extent were districts using remote learning to provide continuity of education?
2. **How is the pandemic influencing ESSA implementation?** For example, in what ways did school performance measures change? To what extent did state policies and procedures for measuring school performance or improvement change in response to the coronavirus? At both the state and district levels, to what extent did the coronavirus pandemic alter school improvement and support activities? What were the strategies and content areas of support provided? How have states and districts supported schools' use of remote learning and strategies for addressing students' social-emotional or mental health needs? How are states and districts supporting students who need to catch up or accelerate their learning? How have districts and schools supported ELs' academic learning, English language development, and social-emotional health?
3. **How are federal funding and waivers being used to support recovery?** How are states and districts spending their CARES Act funds for elementary and secondary education? What strategies or activities are they funding? To what extent did states and districts take advantage of ESEA flexibility in transferring funds between programs, primarily due to the coronavirus?
4. **To what extent are states and districts addressing equity in their recovery efforts?** To what extents are states and districts targeting additional supports to Title I schools, schools identified as Comprehensive Support and Improvement schools, or in other ways in response to the pandemic?

This study will rely on state and district surveys to address the research questions, since there is no uniform source of current, detailed information on these topics. To address research question 2 for English learners, the study will rely on district and school interviews. Each data collection component is described below.

State survey. This 30-minute web-based survey will focus on changes to or new state policies and procedures for district and school operations. The survey will include such topics as supports for remote learning, improvement for low-performing schools and students in high-needs subgroups, administration of student assessments, changes in high school graduation requirements and grade retention policies, challenges with ESSA implementation stemming from school disruptions, and the use of the CARES Act funds. An introductory letter will be sent to the chief state school officer and the Title I director in each of the 50 states and the District of Columbia beginning in February 2021. Then, an email with a link to the survey will be sent to the Title I director. The survey will be completed by staff

designated by the chief state school officer and the Title I director. States receiving Title I and Title II-A funds are expected to participate in Department evaluations following the Education Department General Administrative Regulations (EDGAR) (34 C.F.R. § 76.591). The state survey is in Appendix A.

District survey. This 30-minute web-based survey will focus on topics similar to those on the state survey including school operations; policies related to assessments, graduation requirements, and grade retention; and supports provided to schools and students. The district survey also will capture information on teacher professional development, details on use of flexibility waivers, and targeting of supports and funds. The survey will be administered to superintendents or their designees from a nationally representative sample of 550 school districts beginning in February 2021. Districts receiving education funds through the Coronavirus Aid, Relief, and Economic Security (CARES) Act are expected to cooperate in Department evaluations following the Education Department General Administrative Regulations (EDGAR) (34 C.F.R. § 76.591). The district survey is in Appendix B.

District interview. This 60-minute telephone interview will focus on district policies and practices for identifying, assessing, and reclassifying ELs; providing EL instructional services and supports; promoting ELs' social-emotional health; and engaging with EL parents and families. It will also explore the challenges the pandemic has presented for ELs, their families, and the districts that serve them. The interviews will be conducted with district Title III or EL directors in 20 of the 550 districts sampled for the district survey. Districts receiving education funds through the Coronavirus Aid, Relief, and Economic Security (CARES) Act are expected to cooperate in Department evaluations following the Education Department General Administrative Regulations (EDGAR) (34 C.F.R. § 76.591). The district interview protocol is in Appendix C.

School interview. This 60-minute telephone interview will focus on school-level practices for identifying, assessing, and placing ELs; providing EL instructional services and supports; promoting ELs' social-emotional health; and engaging with EL parents and families. It will also explore the challenges the pandemic has presented for ELs, their families, and the schools that serve them. The interviews will be conducted with 60 principals or EL teacher leaders from elementary, middle, and high schools in the 20 districts sampled for the district interviews. The school interview protocol is in Appendix D.

A.3. Use of Technology to Reduce Burden

The data collection is designed to obtain information in an efficient way that minimizes respondent burden. Respondents for both the state and district surveys will receive a notification letter, followed closely by an invitation email, and a reminder email, as needed. In each correspondence, a URL to the survey will be shared. The state survey URL will include embedded login information to: (1) reduce the number of communications from the study team to the state to securely provide login information separate from the survey URL; and (2) reduce the burden of sharing access to the survey within the state if a different respondent is identified as the best person to complete the survey. Embedding login information eliminates the possibility of a data entry error when accessing the survey, which typically causes the survey to lock due to incorrect login attempts, and this, in turn, discourages respondents from completing the survey.

Web-based surveys are preferred for several reasons. Skip patterns reduce burden and built-in edits reduce response errors. The web-based surveys facilitate the completion of the survey by multiple

respondents, so that the most appropriate individual can access each section and provide the data in their area of expertise. Each district will be assigned a single password for their agency, which can be shared with the most appropriate respondents within the district. More than one respondent can work on different sections of the web-based survey simultaneously.

Using a web-based survey for both states and districts decreases the cost for postage, coding, keying and cleaning of the data. This survey mode also allows respondents to complete the survey at a location and time of their choice. The district and school interviews will be conducted remotely via video- or teleconference, which will also allow respondents to participate from a location of their choice and allow greater flexibility in scheduling. Moreover, the interviews will be audio-recorded, with the respondent's permission, to ensure that the study team can produce a complete and accurate transcription of the interview, thereby reducing the need for post-interview follow-up.

A.4. Efforts to Identify and Avoid Duplication

The planned surveys of state agencies and a nationally representative sample of districts focus on the implementation of federal policies and funding important to the Department. We have investigated state websites so that information that can be reliably and uniformly obtained from them are not asked in the surveys. In most cases, there are no equivalent sources for the needed information.

For the district and school interviews, the study team will review districts' COVID-19 plans, websites, and other relevant documents prior to the interview to address any interview questions that can be answered through these publicly available sources.

The Department also has responsibility for routinely collecting data on the CARES Act funds. Exactly how and what data will be collected is still evolving. However, to the extent possible, we have designed the current request to avoid duplicating those efforts and to produce more reliable information. For example, the CARES Act requires reporting from state agencies only. However, these agencies do not have mechanisms and support for collecting and aggregating district information about use of CARES Act funds. In contrast, the surveys under this request will have clear instructions, definitions, a help desk for questions from respondents, and follow up with non-respondents to ensure accurate and valid reporting.

A.5. Efforts to Minimize Burden on Small Business or Other Entities

No small businesses will be involved as respondents. We will make every effort to minimize the burden on all respondents, whether they are from larger or smaller districts and schools.

A.6. Consequences of Not Collecting Data

Not collecting the data would leave policy makers and the public poorly informed about how current federal policies are playing out through states and districts. These data will provide policy makers with updated and detailed information on how initiatives in these core areas (operations, accountability, assessments, graduation requirements, and grade retention standards) are playing out in states and school districts. It will be useful to understand how states and districts are implementing ESSA initiatives

under current conditions and whether changes in policies are temporary or permanent. Not collecting the data would leave policy makers and the public poorly informed about the state of current federal and state education reform initiatives.

A.7. Special Circumstances

There are no special circumstances involved with this data collection. The data collection will be conducted in a manner consistent with the guidelines in 5 CFR 1320.5.

A.8. Federal Register Announcement and Consultation

The 60-day *Federal Register* notice was published on August 6, 2020 (85 FR 47775) , and the 30-day *Federal Register* notice will be published. During the 60-day comment period, the Department received four comments from the public. Commentors were in support of the data collection and one commentor suggested better incorporating speech-language pathologists and audiologists in questions about school staff. In response, the Department revised questions in Section 4 of the LEA survey to clarify that respondents should include instructional support staff (along with teachers) in certain response categories. Additionally, the Department revised the surveys based on results from pretests with LEAs and SEAs, internal discussions to ensure the collection is most useful to the Office of Elementary and Secondary Education, and on-the-ground changes to how LEAs and schools are providing instruction during the 2020-21 school year.

A.9. Payments to Respondents

There will be no payment to respondents.

A.10. Assurance of Confidentiality

The Education Sciences Reform Act of 2002, Title I, Part E, Section 183 requires, “All collection, maintenance, use, and wide dissemination of data by the Institute” to “conform with the requirements of section 552 of title 5, United States Code, the confidentiality standards of subsection (c) of this section, and sections 444 and 445 of the General Education Provision Act (20 U.S.C. 1232g, 1232h).”

The names and email addresses of potential survey and interview respondents will be collected for the limited purpose of drawing a sample, contacting those selected to complete the survey or interview, and following up with non-respondents. This information is typically already available in the public domain as directory information (i.e., state and district websites).

The following language will be included on the cover sheet of all district information collection forms under the Notice of Confidentiality:

“Information collected for this study comes under the confidentiality and data protection requirements of the Institute of Education Sciences (The Education Sciences Reform Act of 2002,

Title I, Part E, Section 183). Responses to this data collection will be used only for statistical purposes. The reports prepared for the study will summarize findings across the sample and will not associate responses with a specific district or individual. All of the information you provide may be used only for statistical purposes and may not be disclosed, or used, in identifiable form for any other purpose except as required by law (20 U.S.C. §9573 and 6 U.S.C. §151). States and districts receiving Title I and Title II-A funds have an obligation to participate in Department evaluations (Education Department General Administrative Regulations (EDGAR) (34 C.F.R. § 76.591)).”

On the state survey, we will modify the Notice of Confidentiality statement, noting that reports will not associate responses with a specific individual. That is, while individual states may be identified in reporting, individual respondents will not be identified.

Specific steps to guarantee confidentiality include the following:

- Identifying information about respondents (e.g., respondent name, address, and telephone number) will not be entered into the analysis data file, but will be kept separate from other data and will be password protected. A unique identification number for each respondent will be used for building raw data and analysis files.
- A fax server used to send or receive documents that contain confidential information will be kept in a locked field room, accessible only to study team members.
- Confidential materials will be printed on a printer located in a limited access field room. When printing documents that contain confidential information from shared network printers, authorized study staff will be present and retrieve the documents as soon as printing is complete.
- In public reports, district findings will be presented in aggregate by type of district respondent or for subgroups of interest. No reports will identify individual respondents or school districts.
- Access to the sample files will be limited to authorized study staff only; no others will be authorized such access.
- All members of the study team will be briefed regarding confidentiality of the data.
- Most data will be entered via the web systems. However, a control system will be established to monitor the status and whereabouts of any hard copy data collection instruments during data entry.
- All data will be stored in secure areas accessible only to authorized staff members. Computer-generated output containing identifiable information will be maintained under the same conditions.
- Hard copies containing confidential information that is no longer needed will be shredded.

A.11. Questions of a Sensitive Nature

There are no questions of a sensitive nature in the surveys or interviews.

A.12. Estimates of Respondent Burden

Beginning in February 2021, surveys will be administered to respondents in the 50 states, Puerto Rico, and the District of Columbia and a sample of 550 school districts. Interviews will be conducted with administrators in 20 districts and 60 schools.

In all, responses will be required from 682 respondents (52 state officials for the state survey, 550 district officials for the district survey, 20 district administrators for the district interviews, and 60 school officials for the school interviews). Although we expect there may be more than one respondent completing the survey, we are estimating the burden to complete the total survey as one respondent per state/district times the number of minutes for the total survey. In practice, the total number of minutes is likely to be divided among a larger number of respondents.

We estimate that it will take (1) state respondents an average of 45 minutes (in total, summed across multiple respondents in each state working on separate survey sections) for the survey, (2) district respondents an average of 45 minutes for the survey, (3) district respondents an average of 60 minutes for the district interviews, and school respondents an average of 60 minutes for the school interviews. Total burden for the 2021 data collection 531.5 hours (see Table A-1 below). The annualized burden over three years is presented in Table A-2.

Table A-1. Estimates of respondent burden

Informant/Data Collection Activity	Number of Respondents	Minutes per completion	Number of administrations	Burden in minutes	Total Burden Hours	Total Costs
State						
SEA survey	52	45	1	2,340	39	\$1,881.36
District						
District survey	550	45	1	24,750	412.5	\$19,899
District interviews	20	60	1	1,200	20	\$964.80
School						
School interviews	60	60	1	3,600	60	\$2,894.40
Total	682	45-60	1	31,890	531.5	\$25,639.56

NOTE: Assumes an hourly rate of \$48.24 per hour for educational administrators (derived from the Bureau of Labor Statistics' Occupational Employment and Wages for educational administrators, May 2019). See: <https://www.bls.gov/oes/current/oes119032.htm>.

Table A-2. Estimates of annual respondent burden over a three-year period

Informant/Data Collection Activity	Number of Respondents	Total Burden Hours	Total Costs
SEA survey	17.3	13	\$627.12
District survey	183.3	137.5	\$6,633
District interviews	6.6	6.6	\$321.60
School interviews	20	20	\$964.80
Total	227.6	177.1	\$8,546.52

NOTE: Assumes an hourly rate of \$48.24 per hour for educational administrators (derived from the Bureau of Labor Statistics' Occupational Employment and Wages for educational administrators, May 2019). See: <https://www.bls.gov/oes/current/oes119032.htm>

A.13. Estimates of the Cost Burden to Respondents

There is no annualized capital/startup or ongoing operation and maintenance costs associated with collecting the information.

A.14. Estimates of Annualized Government Costs

The amount for the design, conduct of surveys and interviews, and analysis and reporting related to the 2021 data collection is \$1,764,701. This is a one-time data collection, with an annualized cost of \$588,234 over three years.

A.15. Changes in Hour Burden

This is a new request; therefore all burden is new. This results in a program change increase in burden and responses of 177 burden hours and 228 responses.

A.16. Plans for Tabulation and Publication of Results

The primary goal of this data collection is to describe the implementation of ESSA during the first school year after the initial coronavirus pandemic and the use of the CARES Act funds for K-12 education. To achieve this goal, extensive descriptive analyses will be conducted using survey data. We anticipate that relatively straightforward descriptive statistics (e.g., means, frequencies, and percentages) and simple statistical tests (e.g., tests for differences of proportions) will typically be used to answer the research questions detailed in section A.1 above. The study is descriptive and not designed to estimate the impact of federal policies on state and local actions.

Cross-tabulations will be important to answer questions about variation across state and district characteristics. The primary characteristics of interest for the cross-tabulations are:

- District poverty level: Poverty is included because the allocation method for the bulk of the CARES Act relief funds for K-12 education follows the Title I formula. Title I funds are specifically intended to ameliorate the effects of poverty on local funding constraints and educational opportunity.
- District urbanicity: Urbanicity is included because of the relationship between educational opportunity and rural isolation and the concentration of poverty in urban schools. In addition, urbanicity may serve as a proxy for local effects of the coronavirus.

Because of the use of a statistical sample, survey data presented for districts will be weighted to national totals (tabulations will provide standard errors for the reported estimated statistics). In addition, the descriptive tables will indicate where differences between subgroups are statistically significant. We will use Chi-Square tests to test for significant differences among distributions and *t*-tests for differences in means.

The primary method will be to report point-in-time estimates of mean values for state and district data. For state data, the study will report numbers of states and unweighted means. For district data, the study will report weighted means. Weights will reflect the probability of selection for districts, with adjustments for survey nonresponse as needed.

Interview and survey data about supports for ELs will be summarized in a separate report associated with a broader study of EL practices and Title III implementation. The study team will report interview data in the aggregate by tallying the number of districts and schools in the sample that reported a particular policy, practice, or challenge. These counts will shed light on the prevalence of specific approaches and challenges to serving ELs in the sampled districts and schools, and they will be accompanied by qualitative descriptions of illustrative examples.

The study reports are expected to be published in 2022. The reports will be available on the IES website. The reports will be short (15-pages or fewer), with a set of technical appendices. The reports will be written for a broad audience. The study team will work closely with IES on approaches for communicating the most useful information. The reports will follow the recent January 2020 IES Style and Report guidance and meet all 508 compliance requirements.

A.17. Display of Expiration Date for OMB Approval

The Institute of Education Sciences is not requesting a waiver for the display of the OMB approval number and expiration date. The surveys (Appendices A and B), interview protocols (Appendices C and D), and notification letters (Appendix E) will display the expiration date for OMB approval.

A.18. Exceptions to Certification Statement

This submission does **not** require an exception to the Certificate for *Paperwork Reduction Act* (5 CFR 1320.9).

References

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