

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 Student Support and Academic Enrichment Grant Program (Title IV, Part A) grant program intends to offer waivers, for the 2020-2021 school year only, to State educational agencies (SEAs), based on section 8401 [20 U.S.C.7861] of the Elementary and Secondary Education Act, as reauthorized by the Every Student Succeeds Act (ESSA) in 2015, for specific requirements in the program. This will allow an SEA's subgrantees to request a waiver of one or more of the following requirements in Title IV, Part A:

- Section 4106(d) of Title IV, Part A of the ESEA, related to LEA needs assessments.
- Section 4106(e)(2)(C), (D), and (E) of Title IV, Part A of the ESEA, with respect to content-area spending requirements for Title IV, Part A funds.
- Section 4109(b) of Title IV, Part A of the ESEA, with respect to the fifteen percent spending limitation for technology infrastructure for Title IV, Part A funds.

The purpose for this emergency request for a new collection is to collect waiver requests from each State wishing to take advantage of these waivers.

No rulemaking is associated with this collection of information.

- 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 collected information will be used by the Title IV, Part A program office to determine whether or not a SEA will be granted waiver.

- 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.**

The collection of information will involve the use of an electronic submission via email to the Title IV, Part A mail box at OESE.Title.IV-A@ed.gov. The basis for this decision was to provide the least amount of burden on the SEAs.

- 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.**

This is a unique collection. There are no other means for SEAs to request the flexibility provided by these waiver for their State subgrantees.

- 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 collection of this information will not impact small businesses or other small entities. This information collection will only request information from SEAs.

- 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 consequences of the Title IV, Part A grant program not conducting this collection or collecting less frequently is that States and subgrantees will not be able to use their Title IV, Part A funds to best meet their immediate needs without regard to content-area spending requirements, spending limits on technology infrastructure, or completing needs assessment. Because our schools and communities are facing unprecedented obstacles as the 2020-2021 school year begins, these waivers will make it possible for States and their subgrantees to address the extraordinary circumstances created by the novel coronavirus without meeting the requirements under sections 4106(d), 4106(e)(2)(C), (D), and (E) and 4109(b) of the ESEA.

- 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;**

N/A

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

N/A

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

N/A

- **requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**

2 CFR § 200.333 - Retention requirements for records requires that State education agencies maintain records for a minimum of 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;**

N/A

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

N/A

- **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**

N/A

- **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.**

N/A

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.

The Department is requesting emergency clearance and OMB approval to collect waiver requests from SEAs at the start of the 2020-2021 school year. School districts will be able to better plan for responding to immediate student and staff safety needs, cleaning and sanitizing school buildings and other facilities, and addressing other academic needs, such as increasing capacity and training for virtual learning and technology.

ED requests approval of the submission by September 30, 2020. Given the short timeframe for the emergency ICR, ED will also include 60-day comment period language as part of the emergency notice for the regular ICR to allow the public the opportunity to comment for the full clearance process.

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 respondents.

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.¹ 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.

No personally identifiable information is being collected. There are no assurances of confidentiality.

- 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.**

No questions of a sensitive nature including sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private are included in the information collection request.

- 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**

¹ 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)

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.**

The burden estimate is based on the time SEA staff will take to read letter and template prepared by the Department and obviate then respond. The average respondent burden for receiving, reading, filling out and emailing the waiver template is estimated at three hours. This includes reading the instructions, collecting the information needed, attaching the form to the email and emailing it to the OESE.Title.IV-A@ed.gov mailbox. The estimated salary for SEA staff is \$50 per hour. The total burden is estimated as follows:

52 SEA Staff x 3 hours per SEA = 156 hours per year

Total SEA Staff Hours for 2020 = 156 hours
x \$50 per hour
Total SEA Staff Cost for 2020 = \$7,800

The number of grantees, and therefore respondents, is based on statute. Section 4103 [20 U.S.C. 7113 FORMULA GRANTS TO STATES] requires that 50 States, the District of Columbia, the Commonwealth of Puerto Rico and the Bureau of Indian Education to get an allocation, as well as and the outlying areas. The outlying areas opt to consolidate grant funds to allocate funds among programs. The Department expects that all 50 States, the District of Columbia, the Commonwealth of Puerto Rico will request a waiver. The above estimates can be averaged across all States to provide the total burden per state, as follows for the waivers listed above.

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

Estimated One-time Burden and Respondent Costs Table

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)
SEA Waiver Requests	52	1	3	156	\$50	\$7,800

Please ensure the annual total burden, respondents and response match those entered in IC Data Parts 1 and 2, and the response per respondent matches the Paperwork Burden Statement that must be included on all forms.

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 are no start-up costs or annual operational costs associated with this application.

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.**

Tasks for review:

Review the submitted State requests for the waiver:

52 State requests @ 1 per 0.5 hour = 26 hours

6 staff @ \$45/hour = \$270/hour

Total = \$7,020

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.

	Program Change Due to New Statute	Program Change Due to Agency Discretion	Change Due to Adjustment in Agency Estimate
Total Burden		156 hours	
Total Responses		52 responses	
Total Costs (if applicable)		\$7,800	

This an emergency information collection request that will result in a total burden of 156 burden hours and a cost \$7,800 to the public. This emergency request is being made in order to offer States the option to request waivers under section 8401 of the ESEA to the

provide additional flexibilities to address the extraordinary circumstances created by the coronavirus pandemic without meeting the requirements under sections 4106(d), 4106(e) (2)(C), (D), and (E) and 4109(b) of the ESEA.

- 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.**

The results for this information collection will not be published. The program office staff will be informed of the States requesting the waiver and will work with States throughout the year as program officers.

- 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.**

The expiration date for OMB approval will be displayed.

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

There are no exceptions to the certification statement.