

Supporting Statement B
Recordkeeping and Reporting Requirements for
Elementary-Secondary Staff Information Report (EEO-5)
(OMB Control No. 3046-0003)

B. Collections of Information Employing Statistical Methods

1. Respondent Universe

The respondent universe for the EEO-5 collection is defined under Title VII of the Civil Rights Act of 1964, as amended (Title VII). The EEO-5 is conducted to fulfill the reporting responsibility of public elementary and secondary school systems or districts subject to Title VII. As part of this requirement, the reporting public elementary and secondary school systems or districts, including public charter schools and state education associations or agencies, provide data on their full-time staff, part-time staff in a total of 18 job assignments, by sex and by race/ethnic groups to the EEOC. The EEOC collects these labor force data biennially from public elementary and secondary school systems or districts with 100 or more employees within the 50 U.S. states and District of Columbia through the EEO-5 collection. Public elementary and secondary school systems or districts with 100 or more employees within the 50 U.S. states and the District of Columbia were required to submit EEO-5 data annually from 1974 to 1981 and then biennially in even years from 1982 to the present.

There is no single source for the universe of all public elementary and secondary school systems or districts that meet the EEO-5 filing criteria. The EEOC has maintained the frame using the last EEO-5 filing cycle mailing list as a starting point. The Department of Education's National Center for Education Statistics (NCES) provides a supplemental list which reflects school system or district updates due to redistricting or other changes. The EEOC compares this list to the most current EEO-5 frame. New school systems or districts are incorporated into the EEO-5 frame in preparation for launching the current year's collection. The EEOC intends to identify additional external data sources that will improve the coverage of the list.

As of data year 2018, the EEOC estimated that approximately 7,082 public elementary and secondary school systems or districts met the EEO-5 eligibility criteria based on the 2018 EEO-5 collection.

Response Rate during the Last Collection

7,082 of the 7,445 public elementary and secondary school systems or districts notified to file EEO-5 reports, or 95.1 percent, submitted EEO-5 data in the 2018 collection. The 2016 EEO-5 collection achieved a response rate of 93.9 percent, with 5,982 of 6,024 notified filers submitting the EEO-5.

2. Procedures for Collection of Information

The EEO-5 collection does not utilize a sample, and as a result does not employ sampling methods, such as weights or stratification. All school systems or districts who fit the eligibility criteria, as outlined above, are legally obligated to respond. Filers submit a single EEO-5 submission totaling full-time, part-time staff by race/ethnic group, and sex, and by job assignment.

EEO-5 filers can submit their data electronically through one of two ways: (1) online web-based application system or (2) online web-based upload of an electronic CSV data file. Once filers have completed entering their EEO-5 data, the online application prompts them to review the data for accuracy, and to certify their submission. The data entered through the online application can only be submitted after the data have been certified by the filer. 7,082 respondents reported EEO-5 data for the 2018 collection. Of these, approximately 97 percent filed electronically online according to the EEOC's EEO-5 data collection contractor. Of the 7,082 respondents, 6,190 or 87.4 percent filed EEO-5 data electronically through the online application system; 659 or 9.3 percent of respondents filed EEO-5 data electronically by uploading an electronic file through the online system; and 233 or 3.3 percent of the respondents filed EEO-5 data through paper submission. Online electronic filing remains the most popular, efficient, accurate, and secure means of reporting for respondents required to submit the EEO-5. The EEOC has also made online electronic filing much easier for respondents. The EEOC will provide technical assistance to any filers who have difficulty responding online electronically. Accordingly, the EEOC will continue to encourage EEO-5 filers to submit data through online electronic filing and will only accept paper records from filers who have secured permission to submit data via paper submission.

In order to further reduce reporting burden on filers, the EEOC is working to improve the online application system and filer communications, including modernizing and streamlining instructional materials for EEO-5 filers.

At the start of the EEO-5 collection, eligible school systems or districts receive a letter via U.S. mail from the EEOC notifying them that the EEO-5 data collection has opened. The EEOC will also send email blasts to EEO-5 filers prior to the opening of the collection, notifying them of the opening date of the collection. The EEOC provides easy to follow guidance to filers to assist them in submitting accurate data. In addition to an instruction booklet, the EEOC provides an EEO-5 user guide that contains instructions for filing through the online web-based application system. The guide provides step-by-step instructions for filing for the first time, navigating the online application system (including screenshots), inputting data, and certifying data. Additionally, the EEOC provides specifications for filers who wish to upload an electronic CSV data file through the online application system.

All technical assistance resources are available electronically through the internet and updated as necessary prior to opening of the EEO-5 collection. Resources include frequently asked questions and answers (FAQs), instructions for retrieving lost login credentials, and

contact information for a filer help desk. For the opening of the 2020 EEO-5 collection in July 2021, filers will be able to find such resources on the internet at <https://eocdata.org>.

In order to reduce burden on respondents, EEO-5 data are collected every other year (biennially), in even-numbered years. The EEO-5 collection typically opens in September of the reporting year. Filers provide information on their employment totals by employees' job assignment, sex, and race/ethnic groups as of October 1 of the collection year.

The EEOC plans to keep active data collection (i.e., the time period between the data collection opening date and the published due date) open for approximately 10 weeks. Once the published due date has passed, the EEOC will enter the non-response follow-up phase where the EEOC will prompt non-responding eligible EEO-5 filers to submit their data as soon as possible. Three prompts will be sent during this time, which typically lasts six weeks past the published due date. The EEOC plans to begin the 2022 EEO-5 collection cycle in September 2022.

3. Methods to Maximize Response Rates

Public school systems and districts have been submitting EEO-5 data for decades. They are familiar with the EEOC's processes regarding the collection and accustomed to the EEOC's notifications regarding the opening and closing of the collection as well as periodic updates.

In addition to routine electronic notifications and updates, the EEOC encourages EEO-5 filers to participate through a series of prompts occurring throughout the collection cycle. The first prompt begins at the start of data collection when the EEOC sends letters to filers via U.S. mail announcing the opening of the collection. This letter contains a unique login ID as well as a temporary password. Once filers access the online application system, filers may access and update their profile information, reset their temporary password to provide additional security, and update their primary contact email address. The letter also contains information about how filers can reach the EEOC if they need technical assistance.

In past collections, the initial notification letter was the only individualized communication sent to EEO-5 filers before follow-up after the collection due date. In future years, the EEOC plans to utilize methodological best practices to increase the frequency and types of reminders sent to EEO-5 filers. Once the data collection period opens, the EEOC will send periodic email blasts (e-blasts) reminding EEO-5 filers to submit their data in order to maximize response before the posted due date. The EEOC will send follow-up communications 2-3 weeks after data collection opens, and another follow up 1-2 weeks before the published deadline. Following the posted due date, the EEOC sends three reminder letters to instruct non-responding filers to submit data as soon as possible.

Moving forward, the EEOC plans to further improve response rates and reduce burden by modernizing and streamlining instructional materials.

In addition to filer communications, the EEOC encourages a high rate of response by providing technical assistance via email, phone and U.S. mail. Technical assistance is

provided during data collection to assist filers with filing instructions and navigating the online application system, as well as performing contact and address updates and organization change requests.

The EEOC also makes efforts to minimize nonresponse and incomplete data. When filer notification letters are returned as undeliverable, the EEOC's EEO-5 collection contractor researches the school systems or districts to determine changes of addresses and/or whether the system or district is still in existence. New address updates are made in the online application system and new notification letters are generated with the updated addresses. The contractor's staff contact filers who submit incomplete or uncertified data and urge them to re-submit complete data.

As described above, the EEOC sends letters to notified districts that failed to submit EEO-5 data as required by the published due date. The mail file used to send these letters is updated with any changes to district information since the collection opened (updates from research on undeliverable mail, contact changes, or updates made by filers that report they are not eligible to file).

4. Procedures or Methods Undertaken

There have not been tests of procedures or methods on the EEO-5 collection in recent years. The EEOC is in the process of evaluating the processes and design of the EEO-5 collection, which may include both qualitative and quantitative research to assess the impact on burden of any revisions to the data collection. The EEOC will submit a separate request to OMB to outline any revision plans that will impact burden. In addition, the evaluation seeks to modernize the online application system and identify improved methods for submitting data that should ease the burden on respondents in the future.

Since sampling methods are not used in this collection, a non-response bias analysis has not been performed.

Prior to the collection launch, the EEO-5 roster is supplemented with up-to-date school system information obtained from the National Center for Education Statistics (NCES). In addition, the EEOC continues to identify additional external data sources to augment the EEO-5 roster.

5. Individuals Consulted on Statistical Aspects

The following individuals were consulted on the statistical aspects of the EEO-5 collection:

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