

Tracking and OMB Number: (XXXX.XXX) 1870-0504

Revised: XX/XX/XXXX

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# PAPERWORK REDUCTION ACT SUBMISSION

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## **Mandatory Civil Rights Data Collection September 2022**

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### SUPPORTING STATEMENT, PART B: COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

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*Revised after 60-day public comment period.*

**Responses to, and changes made as a result of comments received during the 60-day public comment period are primarily addressed and reflected in Attachment B. In Supporting Statement B, changes were made as a result of comments received during the 60-day public comment period. Additional changes (including technical edits and revisions) were made for clarity, accuracy, and consistency. Changes appear as red text and new text is underlined.**

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**1. Describe the potential respondent universe (including a numerical estimate) and any sampling or other respondent selection method to be used. Data on the number of entities (e.g., establishments, state and local government units, households, or persons) in the universe covered by the collection and in the corresponding sample are to be provided in tabular form for the universe as a whole and for each of the strata in the proposed sample. Indicate expected response rates for the proposed sample. Indicate expected response rates for the collection as a whole. If the collection had been conducted previously, include the actual response rate achieved during the last collection.**

The 2021–22 and 2023–24 Civil Rights Data Collections (CRDC) will be a universe of public schools and local educational agencies (LEA). Therefore, none of the sampling procedures (i.e., stratification, estimation, etc.) are proposed to be used in the 2021–22 and 2023–24 CRDC administrations.

### Respondent Universe

The respondent universe for the 2021–22 and 2023–24 CRDCs will be the most recently available data from the Common Core of Data (CCD) *National Public Education Survey of Local Educational Agencies*. The CCD is designed to be the Department of Education’s (ED) comprehensive statistical database of all public schools and school districts. Most of the data are obtained from administrative reports maintained by state educational agencies (SEA). The CCD survey is collected annually by the National Center for Education Statistics (NCES). The frame for the CCD survey includes LEAs and regular, non-regular (special education, alternative, career, or technical), and public charter schools.

For the CRDC and the CCD, an eligible school is defined as an organization authorized by public authority and financed primarily through public funds to provide public education to students. Under this definition, schools:

- Are operated by a public school district, independent charter district, or state agency on behalf of the state,
- Provides instruction for students,
- Have, will have, or had one or more students,
- Have, will have, or had one or more teachers,
- Have an assigned administrator(s) (principal) responsible to public authority, and
- Receive public funds as its primary support.

### Frame Additions and Deletions

While the CRDC definition of a school matches that used by the CCD, there are a few operational differences. In some instances, schools in the CCD are essentially administrative units that may oversee entities that provide classroom instruction, or the school in the CCD may

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provide funding or oversight only. The CRDC is primarily designed to collect data from public LEAs about educational entities where students receive educational services (physically and/or virtually) for at least 50 percent of the school day, regardless of whether students are reported elsewhere for funding, accountability, or other reporting purposes. To be eligible to participate in the CRDC, schools must serve students at the (physical and/or virtual) site for at least 50 percent of the school day. Since the CCD and CRDC differ slightly in scope, some records are deleted, added, or modified to provide better coverage and a more efficient frame for the CRDC. The following types of school records are deleted from the CCD during the creation of the sampling frame:

- District boundary type 2: Agency has closed with no effect on another agency's boundaries
- School status 2: School has closed since the time of the last report
- Nonoperational school districts: School districts that do not operate a school
- Schools and school districts with a Federal Information Processing Standards (FIPS) state code of 58 (overseas DoD), 60 (American Samoa), 66 (Guam), 69 (Northern Mariana), 78 (U.S. Virgin Islands), or 59 (Bureau of Indian Education).

Districts with no membership or missing membership at the district-level are generally excluded, except in some special cases, such as where membership data were available for the associated schools.

Additionally, OCR augments the CRDC frame to include justice facilities, which may not be under the purview of the SEA or an LEA. In collaboration with the Department of Justice's Office of Justice Programs, OCR adds justice facilities which may not have been otherwise included in the CCD to ensure coverage of all youth in pre- or post-adjudication facilities that receive educational services. Also, state-operated programs for special populations of students (such as schools for the deaf and schools for the blind) are added to the universe, if they are not already included in the CCD list.

### Response Rate

The CRDC has a traditionally high response rate due to the mandatory nature of the data collection. The typical response rate is between 98 and 100 percent. For the 2009–10 CRDC, which was a sample collection, 100 percent of all participating LEAs provided data, representing 48 percent of all LEAs serving students that year. For the 2011–12 CRDC, 98 percent of all participating LEAs, and 99 percent of all schools provided data. For the 2013–14 CRDC, 2015–16 CRDC, and 2017–18 CRDC, 99 percent of all participating LEAs, and 99 percent of all schools provided data. The response rate for the 2020–21 CRDC was 100 percent for both LEAs and schools. The anticipated response rate for the proposed 2021–22 CRDC and 2023–24 CRDC are expected to be no less than 98 percent of all participating LEAs.

## **2. Describe the procedures for the collection of information, including:**

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- **Statistical methodology for stratification and sample selection**
- **Estimation procedure**
- **Degree of accuracy needed for the purpose described in the justification**
- **Unusual problems requiring specialized sampling procedures, and**
- **Any use of periodic (less frequent than annual) data collection cycles to reduce burden.**

The 2021–22 and 2023–24 CRDCs will include a universe of all public schools and LEAs. Therefore, none of the sampling procedures (i.e., stratification, estimation, etc.) is proposed to be used in the 2021–22 and 2023–24 CRDC administrations.

Procedures for the Collection of Information:

*Verification and updates of school lists by selected LEAs: Late Fall 2022 - Summer 2023 (2021–22 CRDC) and Summer 2024 – Fall 2024 (2023–24 CRDC)*

Once selected for the CRDC, LEAs are notified by mail of their required participation in the collection and asked to verify and update their listing of schools and provide a primary point of contact for the survey. Links to survey questionnaires and supporting documents are also included in the initial mailing to LEAs. A Web-based system is available to LEAs to provide contact information for a principal point of contact. LEAs may also verify their school list, add new schools that opened at the beginning of the 2021–22 school year or 2023–24 school year, collapse schools that have merged, or remove schools that have closed. In past surveys, OCR has encountered discrepancies between the definitions of a school as held by the LEA itself and as reported by state departments of education to the CCD. This issue occurs most often in rural areas or in schools that offer grades K-12 in one building with one head principal. The schools often consider themselves one cohesive unit while the state does not. For accounting or other administrative purposes, the state may artificially split these schools by grade level and report them as two or three separate schools. For the purpose of the CRDC, the K-12 school with one principal can be collapsed into one reporting entity and report all students enrolled in grades K-12.

Follow-up for non-responding LEAs begins approximately three weeks after the initial mailing. Telephone follow-up and reminder letters will be sent to LEAs that do not provide a principal point of contact or verify their school list.

*Data collection by selected LEAs: Late Fall 2022 (2021–22 CRDC) and Summer 2024 (2023–24 CRDC)*

After identifying a principal point of contact and a verified list of participating schools, OCR provides frequent training opportunities for LEAs to understand the data elements collected on

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the CRDC and the survey submission process. Webinars, frequently asked questions, short tip sheets, and other resources are available on the CRDC Resource Center website (<https://crdc.communities.ed.gov>). A support center is also available to LEAs to call or email questions regarding the content of the data to be collected. During this time, training on preparing files for submission occurs. OCR provides pre-collection tools for LEAs to gather and prepare flat files of the required data to prepare for the survey submission opening.

*Survey Submission Window: Summer 2023 (2021–22 CRDC) and Fall 2024 - Winter 2025 (2023–24 CRDC)*

The survey submission window opens with email notification to all participating LEAs. LEAs are typically given a minimum of 75 days to submit their data to OCR. In anticipation of the survey submission system opening, OCR and its contractors provide webinar training on using the survey submission website beginning two weeks prior to opening and continuing three weeks after the opening of the survey submission system. These trainings are also posted on the CRDC Resource Center website for LEAs to access at any point during the data collection cycle. During the survey submission period, frequent communication occurs with participating LEAs to offer technical assistance and, as the survey due date approaches, reminders are sent to LEAs that have not yet certified their CRDC submission.

### Accuracy

The CRDC is intended to collect information about educational equity and excellence in public elementary and secondary education. Although respondents are experts in the educational opportunities and participation in their LEAs, there are opportunities for potential error, either through technical mishap or misinterpretation of the intent of a survey item. Over the course of several CRDC administrations, OCR has developed and continues to develop a series of data quality checks designed to flag these errors for review by the respondent and OCR. These edits rely on internal logic checks, consistency within specific tolerances, and comparisons to similar data collected by other program offices within ED.

Because the CRDC is a mandatory collection, respondents are required to provide data for each applicable item. (See Attachment A-4 for more details about how directional indicators are used to determine item applicability.) In rare cases, an LEA may not be able to respond with complete and accurate data to a specified item. When there is item nonresponse, the item may be flagged with a reserve code for the 2021–22 and 2023–24 CRDCs reporting of state and national totals.

The Department has historically conducted this survey biennially to reduce burden. However, to track the effects of the COVID-19 pandemic on educational resource equity over the last two school years, and to put the CRDC back on the biennial data collection schedule that existed prior to the pandemic-related cancellation of the 2019–20 CRDC, the Department is proposing the administration of the 2021–22 CRDC, as a follow-up to the 2020–21 CRDC.

- 3. Describe methods to maximize response and to deal with issues of non-response. The accuracy and reliability of information collected must be shown to be adequate for intended uses. For collections based on sampling, a special justification must be provided for any collection that will not yield “reliable” data that can be generalized to the universe studied.**

Historically, the civil rights survey has had a very high response rate. In 2000, the predecessor Elementary and Secondary School Civil Rights Compliance Report (E&S Survey) was sent to a universe of all LEAs and schools in the United States. The overall response rates were 97 percent of all LEAs and 99 percent of all schools. The overall response rates for the 2002 E&S Survey were 98 percent for LEAs and 98 percent for schools. For the 2004 CRDC, the response rates, including partial respondents to the data collection, were approximately 97 percent of all LEAs, and 97 percent of all schools. The 2006 CRDC achieved an unprecedented 100 percent response rate for LEAs and a 99.6 percent response rate for schools. The 2009–10 CRDC achieved a response rate of 100 percent of LEAs, and 100 percent of schools. The 2011–12 CRDC achieved a response rate of 98 percent of LEAs and 99 percent of schools. The overall response rates for the 2013–14 CRDC, 2015–16 CRDC, and 2017–18 CRDC, were 99 percent for LEAs and 99 percent for schools. The response rate for the 2020–21 CRDC was 100 percent for both LEAs and schools.

#### Methods to maximize response rates

Frequent communications occur with participating LEAs over the course of the data collection to ensure compliance with this statutorily mandated collection. LEAs are notified via email of their obligation to report. In addition, frequent email correspondence occurs with the LEA’s primary point of contact regarding technical assistance available to support the LEAs submitting the required data, reminders of upcoming deadlines, and notifications if the CRDC data were not submitted by the due date. If LEAs fail to respond in a timely manner, then the contractor for the data collection, with assistance from OCR and its field offices as necessary, provides extensive outreach and assistance to the greatest extent possible until the LEAs respond, or the final deadline for accepting data has passed. The superintendents of non-responding LEAs are also contacted by phone and email. This has proven to be very successful in past years.

- 4. Describe any tests of procedures or methods to be undertaken. Testing is encouraged as an effective means of refining collections of information to minimize burden and improve utility. Tests must be approved if they call for answers to identical questions from 10 or more respondents. A proposed test or set of tests may be submitted for approval separately or in combination with the main collection of information.**

OCR plans to evaluate the data collection procedures and data items described in this submission in a number of ways. Many of the data elements requested for the 2021–22 and 2023–24

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CRDCs were collected in the previous 2011–12 CRDC, 2013–14 CRDC, 2015–16 CRDC, and 2017–18 CRDC. Data quality is an overriding concern that OCR continues to assess and evaluate. OCR and NCES assess data from CRDC survey years to evaluate the internal and external consistency and reliability of the reported data to continuously improve the business rules and edit checks used in the survey submission system. Edit checks help to identify potential problems and provide opportunities for LEAs to correct possible mistakes before certifying the accuracy of their submission.

To support continued improvement of data quality in LEAs and ensure the procedures for the survey are designed to minimize the burden on schools and LEAs OCR and NCES partnered in the development of an enhanced survey submission system for CRDC. The enhanced survey submission system was first implemented for the 2013–14 CRDC. The redesigned submission system builds on improvements made in the 2009–10 and 2011–12 collections that enhanced the ability of LEAs to provide partial flat files and improved data accuracy. For the 2021–22 and 2023–24 CRDCs, OCR and NCES plan to test and pilot the survey submission system in a number of ways.

### Content

The proposed data elements include: 1) items required for the 2020–21 CRDC, 2021–22 CRDC, and 2023–24 CRDC; 2) items optional for the 2020–21 CRDC, but required for the 2021–22 and 2023–24 CRDCs; and 3) new required and optional items for the 2021–22 and 2023–24 CRDCs. Similar to what OCR did for the 2013–14 CRDC, for the 2021–22 and 2023–24 CRDCs, OCR may conduct recordkeeping visits with LEAs to determine whether and how they presently collect data for the CRDC data groups. If conducted, then OCR would select sites that reflect a diverse set of LEAs in terms of size, urban/city, level of sophistication of SEA and LEA data systems, and programs offered. These visits may gather information on ways in which the survey submission tool may assist in improving data quality through edit checks and other analytical procedures. Additionally, OCR is exploring the possibility of conducting one-on-one cognitive interviews with SEA, LEA, and/or school respondents to validate proposed item wording, dependent on available staff and funding resources. These interviews may be conducted by phone and in person, as appropriate.

### Survey Tool

OCR and NCES collaborated to develop an enhanced survey submission tool that was first implemented for the 2013–14 CRDC. Testing plans for the 2021–22 CRDC and 2023–24 CRDC tool closely mirror previous CRDC protocols. For the 2021–22 and 2023–24 CRDCs, OCR plans to invite a few LEA and SEA representatives that intend to pre-populate data elements, to participate in some initial discussions with the contractor about various features of the tool. If funding is available, then OCR will pilot test the online survey tool for data submission with LEAs and SEAs. Pilot participants will likely have access to the survey software for a period of no less than 10 business days.

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OCR will work with its selected contractor to compile LEA and SEA suggestions, categorized by level of criticality and feasibility. Based on these results, OCR will identify changes, such as text refinements, and any critical technical issues for correction and resolution prior to the opening of the 2021–22 CRDC and 2023–24 CRDC survey tool for all participating LEAs.

**5. Provide the name and telephone number of individuals consulted on statistical aspects of the design and the name of the agency unit, contractor(s), grantee(s), or other persons who will actually collect and/or analyze the information for the agency.**

OCR intends the 2021–22 and 2023–24 collections to be a universe of public schools and LEAs. OCR has consulted with NCES regarding a preliminary plan for a sample selection for the 2021–22 and 2023–24 CRDCs. If budget constraints are such that a universe collections for the 2021–22 and 2023–24 CRDCs is are not possible, then OCR will work closely with NCES to finalize the sample selection plan and submit it to OMB for review and approval.