

1Supporting Statement A

Tribal Education Department Grant Program

OMB Control Number 1076-0185

2019 Terms of Clearance: OMB requests that the agency revise the time burden per response estimate again during the next approval if warranted based on public comments.

- BIE reviewed the time burden estimates, per the 2019 Terms of Clearance, and determined no changes to the burden estimates are warranted. BIE reached this determination by reviewing the frequency of data and reaching out to three respondents who were involved in submitting the grant proposals.

General Instructions

A completed Supporting Statement A must accompany each request for approval of a collection of information. The Supporting Statement must be prepared in the format described below, and must contain the information specified below. If an item is not applicable, provide a brief explanation. When the question “Does this ICR contain surveys, censuses, or employ statistical methods?” is checked “Yes,” then a Supporting Statement B must be completed. OMB reserves the right to require the submission of additional information with respect to any request for approval.

Specific Instructions

Justification

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.**

Under 25 U.S.C. 2020, Congress appropriated funding through the Bureau of Indian Education (BIE) for the development and operation of Tribal departments or divisions of education for the purpose of planning and coordinating all educational programs of the Tribe. To be eligible for funding under this program, a Federally Recognized Tribe may serve one Bureau-funded school but priority will be given to those Tribes if they serve three or more separate Bureau-funded schools. All Tribal education departments (TEDs) awarded under the program will provide coordinating services and technical assistance to the school(s) they serve. The BIE will need to solicit grant proposals from eligible Federally Recognized Tribes in order to award funding.

The funds will support the program goals for the following areas that promote Tribal education capacity building:

- Development and enforcement of Tribal educational codes, including Tribal education policies and Tribal standards applicable to curriculum, personnel, students, facilities, and support programs;
- Facilitate Tribal control in all matters relating to the education of Indian children on reservations (and on former Indian reservations in Oklahoma);
- Provide development of coordinated educational programs (including all preschool, elementary, secondary, and higher or vocational educational programs) on reservations (and on former Indian reservations in Oklahoma) by encouraging Tribal administrative support of all Bureau-funded educational programs, as well as encouraging Tribal cooperation and coordination with entities carrying out all educational programs receiving financial support from other Federal agencies, State agencies, or private entities.

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. Be specific. If this collection is a form or a questionnaire, every question needs to be justified.

To be transparent with all eligible federally recognized Tribes, the BIE publishes a notice of the availability of funding (when available) and request for grant proposals on the www.grants.gov website. BIE will review the proposals to determine if the Tribe is eligible for the grant and if the funding will be used for the stated purposes of planning and coordinating educational programs of the Tribe.

A complete proposal must contain the following elements:

- A formal signed resolution from the appropriate Tribal governing body supporting the TED grant proposal – The resolution is necessary to ensure the Tribe or TED has authorized the request.
- A proposal describing the planned activities and deliverable products – BIE will use this information to ensure the proposed project falls within the scope of what the funds are to be used for.
- A detailed budget estimate, including contracted personnel costs, travel estimates, and other expenses – BIE will use this information to ensure that the funds will be used for the authorized purposes.

BIE will evaluate the grant proposal on the following criteria:

(1) Project Narrative:

The narrative must discuss the vision of the Tribe's or TED's educational goals to strengthen Tribal engagement and participation in coordinating assistance and support to Bureau-funded school(s). The narrative will include the expected outcome for student success and how the proposed project will increase student competency. The narrative

should describe how the Tribe will develop and implement on or more of the following projects identified under 25 U.S.C. 2020:

- o Tribal Education Code Development
- o Tribal Education Control
- o Tribal Administrative Support

(2) Budget Narrative: This narrative includes, in detail, the amount of grant funds that will be allocated to each budget category, which will include salary costs, travel estimates, and other expenses.

(3) Work Plan: The work plan must describe the goals, objectives, tasks, responsible parties, timelines, and expected outcomes. BIE highly recommends the inclusion of timelines that factor in Tribal grant award processes, if awarded, that may include, Tribal grant award acceptance, Tribal human resource hiring, and/or consultant hiring.

Once the grants have been awarded, those participating TEDs will need to submit the following items for the duration of their grant and shall comply with regulations relating to grants made under 25 U.S.C. §450h(a):

Quarterly Reports – BIE will use this information to ensure the performance of the TED program’s function and activity are being met.

Annual Reports – BIE will use this information to stay apprised of the TEDs progress and accomplishments, and ensure the Tribal education department fulfills the obligations of the grant. The annual report is articulated in the grant application that requests Tribes to provide a presentation that shows the progress of their Year 1.

Time Period of Grant – Subject to the availability of appropriated funds, a grant provided under this program shall be provided for a period of one year. If the performance of the grant recipient is satisfactory to BIE during its first year, the grant may be renewed for an additional two-year term.

3. **Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden and specifically how this collection meets GPEA requirements.**

The application can be retrieved from the BIE’s website at:
<http://www.bie.edu/Programs/TribalEduDeptGrantProgram/index.htm>.

BIE will accept grant proposals, quarterly reports, and annual reports by regular mail, Federal

Express, grants.gov, Express Mail, or by email.

- 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.**

The information requested by BIE is not available from any other source. The information collected is unique to each Tribe's vision of the Tribe's or TED's educational goals to strengthen Tribal engagement and participation in coordinating assistance and support to Bureau-funded school(s), expected outcome for student success, and how the proposed project will increase student competency.

- 5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.**

This information collection does not impact small businesses or other small entities.

- 6. Describe the consequence 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.**

25 U.S.C. 2020 requires a grant proposal in order to be awarded funding for this program. If BIE is unable to conduct this information collection, eligible Tribes would be deprived of funding to improve education or build the capacity of their Tribal education departments

- 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;**
 - * requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
 - * requiring respondents 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;**
 - * in connection with a statistical survey that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
 - * requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**
 - * 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 which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
 - * 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.

There are no circumstances that require BIE to collect the information in a manner stated above.

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, 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 in response to the PRA statement associated with the collection over the past three years, and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

A Federal Register notice with a 60-day public comment period soliciting comments on this collection of information was published on January 26, 2022 (87 FR 4041). We received one comment in response to that notice.

Comment 1: The respondent supported the information collection, stating in their opinion that the information collection is helpful for American Indian students served by Bureau-funded schools and necessary to determine the allocation of grant funding to meet the educational needs of American Indian students in Wisconsin.

Agency Response to Comment 1: BIE greatly appreciates the support of our partners in serving and improving educational outcomes for American Indian students.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, 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 three 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.

BIE reached out to prior Awardee cohorts.

- Hopi Tribe, Navajo Nation, Oglala Sioux Tribe, Pueblo of Acoma, Rosebud Sioux Tribe, Santa Clara Indian Pueblo, and Standing Rock Sioux Tribe, Sault Ste. Marie Tribe of Chippewa Indians, Leech Lake Band of Ojibwe, Mississippi Band of Choctaw Indians, The Muscogee (Creek) Nation.

The BIE received feedback from three respondents who were involved in submitting the grant proposals:

- *Grantee cohort #1*
- *Grantee cohort #2*
- *Grantee cohort #3*

Respondents indicated the grant the instructions are clear and the burden estimates are fair and accurate.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

No gifts or payments are provided to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

No assurance of confidentiality is provided. The information that is collected is subject to the requirements of the Freedom of Information Act.

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. This 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 are asked.

12. Provide estimates of the hour burden of the collection of information. The statement should:

*** Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. 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.**

*** Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included under “Annual Cost to Federal Government.”**

BIE reviewed the time burden estimates, per the 2019 Terms of Clearance, and determined no changes to the burden estimates are warranted. BIE reached this determination by reviewing the frequency of data and reaching out to three respondents who were involved in submitting the grant proposals.

The total annual reporting and recordkeeping burden for this collection is estimated to be 1,113 hours or the amount equivalent to \$61,738. To obtain the hourly rate for Tribal government employees, we use the wages and salaries figure for all workers from Bureau of Labor Statistics Release, USDL-22-1176 – issued March 2022, Table 3, Employer costs per hour worked: State and local government workers. See <http://www.bls.gov/news.release/pdf/ecec.pdf>. Table 2 lists the hourly rate for State and local government workers as \$55.47, including benefits.

Task	No. Respondents	No. of Responses per Year	Total Responses	Burden Hours per Response	Annual Burden Hours	Cost to Respondents
Preparing and submitting the Proposal	13	1	13	81	1,053	\$58,410
Quarterly Financial Reports	10	4	40	1	40	\$2,219
Annual Reports	10	1	10	2	20	\$1,109
Totals	33		63		1,113	\$61,738

13. Provide an estimate of the total annual non-hour cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected in item 12.)

*** 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 (including filing fees paid for form processing). 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 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 purchasing or 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.

There are no non-hour cost burdens associated with this collection.

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.

We estimate the annual cost to the Federal Government to implement this information collection to be **\$6,968**.

The average hourly wage rate used to estimate Federal costs is the hourly basic rate for a GS-14/3 worker in Washington DC as indicated in the Office of Personnel Management Salary Table 2022. See https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2022/DCB_h.pdf. OPM lists the hourly salary for a GS-14/3 as \$64.52, including benefits.

Task	No. Respondents	No. of Responses per Year	Total Annual Responses	Federal Burden Hours per Response	Annual Burden Hours	Total Cost
Reviewing Proposals	13	1	13	5 hours	65	\$4,194
Quarterly Reports	10	4	40	1 hour	40	\$2,581
Annual Reports	10	1	10	15 minutes	3	\$194
Totals			63		108	\$6,968

15. Explain the reasons for any program changes or adjustments in hour or cost burden.

There are no changes or adjustments beyond the updates made to the BLS and OPM salary data contained in Sections 12 and 14. Changes in burden estimates were due to salary increases from the Bureau of Labor and Statistics and the Federal government.

- 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 of this information collection 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.**

The OMB control number and expiration date will be displayed on the solicitation for proposals as well as on other appropriate materials.

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

There are no exceptions to the certification statement.