

SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT SUBMISSION

A. Justification

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a hard copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information, or you may provide a valid URL link or paste the applicable section. Please limit pasted text to no longer than 3 pages. 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, make note of the sections or changed sections, if applicable.**

The revision of the collection instrument is submitted due to the April 30, 2022 expiration date. The U. S. Department of Education (Department) is requesting a revision to the information collection instrument used by the U.S. Department of Education to gather State plans from eligible agencies under the Carl D. Perkins Career and Technical Education Act, as amended by the Strengthening Career and Technical Education Act for the 21st Century Act (Public Law 115-224) (Perkins V or the Act). State plans consist of narrative information, budgets, and performance levels pursuant to the Act and applicable Federal regulations pursuant to the Uniform Guidance (2 CFR 200) and Education Department General Administrative Regulations (2 CFR 76). Eligible agencies are the State boards, or sole State agencies, responsible for career and technical education (CTE) in the 50 States, the District of Columbia, Puerto Rico, and the outlying areas of the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Marianas Islands, and the Republic of Palau.¹

Perkins V authorizes appropriations from Fiscal Year (FY) 2019 through FY 2024. Section 122(a) of Perkins V requires each eligible agency desiring assistance for any fiscal year under the Act to prepare and submit to the Secretary a State plan for a 4-year period, together with such annual revision as the Act specifies or the eligible agency deems necessary. Eligible agencies may submit a 4-year State plan or, for FY 2019 only, a one-year transition plan followed by a 4-year plan. An eligible agency also may submit its State plan as part of a Combined State Plan under the Workforce Innovation and Opportunities Act of 2014 (WIOA).

Following submission of their 4-year State plan, the legislation and applicable Federal regulations require eligible agencies to submit annual State plan revisions, if any, budgets

¹ Under the prior Carl D. Perkins Career and Technical Education Act of 2006 (Perkins IV) legislation, American Samoa and the Northern Marianas Islands did not use Perkins funds for career and technical education as part of their consolidated grant awards under 34 CFR 76.125 through 76.137. Beginning in 2018, Guam incorporated Perkins into a consolidated grant award, but did not allocate Perkins funds for career and technical education. Accordingly, these entities are not included in the burden hour estimates in Item 12 of this statement.

for the upcoming program year, and performance level revisions prior to the third program year covered by the State plan. An eligible agency may also submit performance level revisions at the end of a program year if unanticipated circumstances arise in a State or changes occur related to improvement in data or measurement approaches pursuant to section 113(b)(3)(A)(iii) of the Act.

Section 123(a)(3)(A)(iii) of Perkins V authorizes the Secretary, after notice and opportunity for a hearing, to withhold from a State all or a portion of its allotment if it fails to implement an improvement plan pursuant to section 123(a) of the Act or fails to meet at least 90 percent of a State-determined level of performance for the same core indicator for 2 consecutive years after the eligible agency has been identified for improvement on that indicator. In lieu of withholding funds and consistent with the Department's actions under the prior Perkins IV legislation, the Secretary intends to impose grant award conditions that require States to report periodically on their progress in implementing the improvement plans required by section 123(a)(1). This collection includes these periodic reports.

This request is to revise the information collection for one year to collect annual revisions under Perkins V. OCTAE may further revise or extend the information collection tool to support state plan revisions and amendments beyond the initial statutory timeline described in Perkins V. This request makes the following changes:

(1) Removes the introductory letter;

(2) Removes the requirements and instructions related to submission of Perkins V State Plans in FY 2019 and FY 2020. The Department recognized that it would take time for eligible agencies to update their CTE systems, policies, and programs to align with the requirements of Perkins V after it was signed into law on July 31, 2018. As such, eligible agencies had the option of submitting a 1- Year Transition Plan in FY 2019 or a Perkins V State Plan that covered 5 years from FY 2019 to FY 2023. Some background information regarding the submission of original State Plans was maintained for historical context, but much of the information related to these original options is no longer relevant as states prepare annual revisions;

(3) Removes the requirement that eligible agencies submit local formula allocations as part of State Plan revisions in subsequent years. Local formula allocation information is collected annually as part of the OMB-approved Perkins V Consolidated Annual Report (CAR) – (OMB Control Number 1830-0569);

(4) Adds a budget line item related to the percent of funds made available to serve individuals in “other” State institutions. Perkins V requires that eligible agencies make funds available to serve individuals in State institutions, such as (1) State correctional institutions, (2) juvenile justice facilities, and (3) educational institutions that serve individuals with disabilities. Some states provide funds to State institutions beyond the three types of institutions explicitly identified in Perkins V and therefore an additional “other” line item is needed to collect this information; and

(5) Changes references to fiscal years (FYs) to program years (PYs) on the section V.B State Determined Performance Levels (SDPL) Form to reduce confusion among grantees as they set SDPL targets that align to performance data that is ultimately reported based upon program year.

- 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.**

Pursuant to section 122(f), the Department uses the information contained in each eligible agency's State plan and annual revisions to determine whether the eligible agency has met the requirements of the Act, including submitting State-determined levels of performance that meet the criteria established in section 113(b)(3) and section 113(b)(3)(A)(i)(III). The Department also uses the information to determine areas in need of technical assistance in States, and to provide information on State's Perkins V initiatives, funding, and performance levels to Congress, interested stakeholders, and the public.

- 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. Also describe any consideration given to using technology to reduce burden.**

The Department will require eligible agencies to submit their State plans and annual revisions electronically via the Perkins V State Plan Portal at <https://perkins.ed.gov/pims>. Hard copy submissions will not be accepted as the Department has met the requirement of 2 CFR 76.720(b)(3) for the transition from hard copy to electronic submission of State plans and revisions under the prior Perkins IV legislation.

- 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 similar data collections which seek this information.

- 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 does not impact small businesses or other small entities.

- 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.**

Pursuant to section 122(a)(1) of Perkins V, each eligible agency must submit a State plan and annual revisions for any fiscal year in which they seek assistance under the Act.

- 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 than 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 that 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.**

The collection does not anticipate any such special circumstances.

- 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. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

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 published a 60-day notice in the Federal Register on February 25, 2022 (87 FR 10778). The Department will publish a 30-day notice in the Federal Register and will review and respond to the comments received. Changes will be made when appropriate.

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

There will be no payments or gifts to respondents of this information collection.

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. 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). 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.

The Department makes no pledge about the confidentiality of the data provided by respondents of this information collection.

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.

There are no questions of a sensitive nature contained in this information collection.

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

- **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, and an explanation of how the burden was estimated, including identification of burden type: recordkeeping, reporting or third party disclosure. All narrative should be included in item 12. 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 in the ROCIS IC Burden Analysis Table. (The table should at minimum include Respondent types, IC activity, Respondent and Responses, Hours/Response, and Total Hours)**
- **Provide estimates of annualized cost to respondents of 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 in Item 14.**

To determine the estimated burden hours associated with the Perkins V collection, the Department consulted state employees who are responsible for State plan development at nine eligible agencies. The Department then adjusted its first estimated burden hours based on public comments from the 60-day comment period in 2019. The Department estimates that responses to this information collection will be received from 54 eligible agencies each year (see footnote 1). We estimated that the number of burden hours per response would vary over the first three years of this information collection as eligible agencies transition to the new requirements of Perkins V with the smallest number of burden hours estimated for the third year because we expected states to spend fewer hours reviewing and revising plans. For this revision, we are requesting only one year approval for this collection instrument. For the fourth year, FY 2022, we estimate that the burden hours per response for this fourth year will increase from the burden hours per response in the third year of Perkins V for each eligible agency that is reviewing and revising, as necessary, its State plan and submitting its annual budget. This new burden estimate takes into consideration that the burden hours for some agencies if amendments are made to the State plan because Perkins V requires a public comment period prior to submission of the State plan and further requires that the agency provide a response to any comments received. We estimate that the burden hours per response will be 30 hours.

Estimated Number of Responses	Type of Staff	Estimated Number of Burden Hours Per Response	Total Estimated Number of Burden Hours
54	Professional	18	972
54	Clerical	12	648
	Total	30	1,620

We estimate the total cost per hour of the professional staff who will carry out this work to be \$63.96 per hour, the mean hourly compensation cost for State and local government workers who were in management, professional, and related occupations in September 2021.² We estimate the total cost per hour of the clerical staff who carry out this work to be \$29.77 per hour, the mean hourly compensation cost for State and local government workers who were in office and administrative support occupations in September 2021. The total annualized cost to respondents of the hour burdens for this collection is estimated to be \$81,460, as indicated in the table below.

Type of Staff	Total Estimated Number of Burden Hours	Estimated Hourly Cost	Total Costs (Rounded to the Nearest dollar)
Professional	972	\$63.96	\$ 62,169
Clerical	648	\$29.77	\$19,291
	1620		\$81,460

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**

² Bureau of Labor Statistics, U.S. Department of Labor, Employer Costs for Employee Compensation Historical Listing, National Compensation Survey, retrieved from <https://www.bls.gov/web/ecec/ecec-government-dataset.xlsx>

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: \$0

Total Annual Costs (O&M): \$0

Total Annualized Costs Requested: \$0

The total for the capital and start-up cost components for this information collection is zero. The information collection will not require the purchase of any capital equipment nor create any start-up costs. Computers and software used to complete this information collection are part of the respondents' customary and usual business or private practices, and therefore is not included in this estimate. The total operation and maintenance and purchase of service components for this collection is zero. The information collection will not create costs associated with generating, maintaining, and disclosing or providing the information that is not already identified in Item 12 of this supporting statement.

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.

As indicated in the table below, the estimated annualized cost to the Federal government is \$41,283.60. This includes salaries of program staff who develop the State plan guide, revise the State plan submission portal, provide annual training technical assistance to eligible agencies regarding the submission of information, and review and approve State plans, revisions, and annual budgets.

Number of Employees	Employee Grade	Estimated Number of Hours Per Employee	Total Number of Estimated Hours	Estimated Hourly Cost	Total Annualized Costs (Rounded to the Nearest .10)
1	GS-11	8	8	\$40.70	\$325.60

5	GS-13	81	405	\$58.01	\$23,494.05
3	GS-14	81	243	\$68.55	\$16,657.65
1	GS-15	10	10	\$80.63	\$806.30
				TOTAL	\$41,283.60

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
Annual Burden		-2034	
Annual Responses		54	
Annual Cost (if applicable)			

The number of burden hours for eligible agencies to respond to this information collection has decreased from the previous approved collection due to agency discretion. For the previously approved information collection tool, we calculated a three-year average for burden hours that included one year with a larger number of burden hours with an expectation that eligible agencies would be developing a new State plan that aligned to the new statute in the first two years of the new statute’s implementation. For this revision of the information collection tool, we are requesting only a one-year approval. Further, we anticipate fewer burden hours used for review and revision of the state plan and the annual budget. Because the burden hour estimate is comparable to the third year of the previously approved collection, the burden hour estimate is comparable to the last year’s burden estimate for the previously approved collection.

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.

State plans are integrated with other State information that now appears on the Department's website at <https://cte.ed.gov/profiles/national-summary>.

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.

We are not seeking this approval.

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

There are no exceptions to the certification statement identified in the Certification of Paperwork Reduction Act.