

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.**

This is a request for emergency approval of a new information collection under the Expanding Opportunity Through Quality Charter Schools Program (CSP)--Grants to State Entities (SE Grants), Grants to Charter Management Organizations for the Replication and Expansion of High-Quality Charter Schools (CMO Grants), and Grants to Charter School Developers for the Opening of New Charter Schools and for the Replication and Expansion of High-Quality Charter Schools (Developer Grants). The information also will cover the Final Priorities, Requirements, Definitions, and Selection Criteria for these programs that are being published in the *Federal Register* (2022 NFP). SE Grants, CMO Grants, and Developer Grants are authorized under Title IV, Part C of the Elementary and Secondary Education Act, as amended (ESEA) (20 U.S.C. 7221-7221j). Since this is a competitive grant program, the Department of Education (Department) needs to collect applications from eligible applicants to evaluate the quality of applications. In FY22, the Department will make three types of awards under these programs: SE Grants, CMO Grants, and Developer Grants. SE Grants provide funding to State Entities (SE) (State Educational Agencies, Charter School Support Organizations, Governors, and State Charter School Boards), which, in turn, award subgrants to eligible applicants to support opening new charter schools and replicating and expanding high-quality charter schools. SEs also may use grant funds for administration and to provide technical assistance to eligible applicants and authorizers. CMO Grants provide funding to Charter Management Organizations (CMO) to enable them to replicate and expand high-quality charter schools. Developer grants provide funding to charter school developers in states that do not have an active SE Grant to support opening new charter schools and replicating and expanding high-quality charter schools.

On March 14, 2022, the Department published in the *Federal Register* a Notice of Proposed Priorities, Requirements, Definitions, and Selection Criteria (NPP) for CSP SE Grants, CMO Grants, and Developer Grants (Vol. 87, No. 49, pages 14197-14210). Specifically, the Department proposed two new priorities and accompanying application requirements, definitions, and selection criteria for applicants proposing to create results-driven policies to help promote positive student outcomes, student and staff diversity, educator and community empowerment, promising practices, and accountability, including fiscal transparency and responsibility, in charter schools supported with CSP funds, which can serve as models for other public schools. The Charter School Programs Office of the Department is requesting a new information collection for the three named programs, including a needs analysis and additional information related to contracts between charter schools and for-profit management organizations due to this rulemaking. Since the CSP (ALN 84.282) is a discretionary grant program, grant applications submitted for this program are evaluated on the basis of how well an applicant addresses

the selection criteria and are used to determine applicant eligibility and award amounts for projects selected for funding.

The selection criteria used for the CSP include general selection criteria from 34 CFR 75.210, Final Priorities, Requirements, Definitions, and Selection Criteria—Expanding Opportunity Through Quality Charter Schools Program; Grants to Charter Management Organizations for the Replication and Expansion of High-Quality Charter Schools (CMO NFP), published in the Federal Register on November 30, 2018 (83 FR 61532), and Final Priorities, Requirements, Definitions, and Selection Criteria—Expanding Opportunity Through Quality Charter Schools Program; Grants to Charter School Developers for the Opening of New Charter Schools and for the Replication and Expansion of High-Quality Charter Schools (Developer NFP), published in the Federal Register on July 3, 2019 (84 FR 31726), and may also include the selection criteria published in the 2022 NFP.

We are requesting emergency approval to align with the publication of the NIAs and NFP in order to make awards prior to the end of the fiscal year. Shortly after the NFP publishes, the Department will post a 30-day notice to solicit public comment as part of our regular request for approval of this collection.

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 type of information requested in the application includes: the purpose of the project; the objectives, activities, and timelines for the funding period requested, qualifications of key personnel; and a detailed budget and description of resources.

Eligible applicants submit the information to describe the project for which funding is requested. The information provided by the applicant addresses the selection criteria for the program. The application is evaluated through a peer review process and an application's score is used to determine its ranking, which determines if it is selected for funding.

The information collected reflects the specific components of the selection criteria and application requirements that are to be provided.

Eligible applicants for the CSP programs include:

- (a) State educational agencies (SEAs);
- (b) Charter School Support Organizations;
- (c) State Charter School Boards;
- (d) Governors;
- (e) Charter Management Organizations; and
- (f) Developers that have applied to an authorized public chartering agency to operate a charter school and provided adequate and timely notice to that authority.

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.

This grant program will require electronic submission of applications through the grants.gov system. For those applicants that do not have the capability for on-line submissions through the Internet, the application may also be submitted in hard copy format if an exception is requested in writing at least two weeks prior to the closing date. All performance reports for this grant program must be submitted through the Department's e-reports system enabling on-line administration and review of the projects.

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.

No duplication of effort exists. This information collection requests information specifically for CSP programs authorized under section 4303 and 4305 of the ESEA, which are discretionary grant programs. Applicants will be required to provide information that addresses the statutory purposes and requirements, as well as the selection criteria.

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.

This information collection requirement impacts small entities, but the Department will limit the collection to only that information necessary to make grant awards, in order to minimize the burden on 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.

If this information is not collected, the Department will be unable to make grant awards in a timely manner. Applications provide information describing the project for which funding is requested. The information collected is necessary to evaluate the applications and select projects for funding annually.

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.

No such circumstances exist.

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.

On March 14, 2022, the Department published the NPP in the *Federal Register* with a 30-day comment period ending on April 13, 2022 (Vol. 87, No. 49, pages 14197-14210). In the NPP we identified information collection requirements for the program application packages. However, at that time, no Information Collection Request was submitted concurrently with the NPP publication. Then on April 22, 2022, the Department published a separate 30-day notice (87 FR 24144) to solicit comments on the proposed collection requirements. We received three comments that we have responded to in a separate document. Since the 30-day notice was published in April, we have updated the proposed collection requirements to align with the changes made in the upcoming notice of final priorities. The Department is requesting emergency approval of a new information collection in order to release the applications to applicants as soon as the NIAs are published. At the same time, we are requesting regular approval for CSP SE Grants, CMO Grants, and Developer Grants generally; and for the CSP NFP, which requires the submission of a community needs analysis and information regarding charter schools' contracts with for-profit management organizations. We are publishing a separate 30-day Federal Register notice (FRN) to solicit public comment on the paperwork burden as part of that approval request.

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

No payments or gifts to respondents will be provided.

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,

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)

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.

Confidential information is not requested. However, some applicants may include information within an application that is personally identifiable. Such information, which may include resumes of staff with home addresses, home telephone numbers, or similar personal information, is not released under the exemptions 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. 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.**

Information of a sensitive nature is not requested.

- 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 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.

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

For the years that the Department holds SE Grant, CMO Grant, and Developer Grant competitions and that SEs hold subgrant competitions, we estimate that 365 applicants will apply and submit an application. We estimate that it will take each applicant 60 hours to complete and submit the application, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The total burden hour estimate for this collection is 21,900 hours.

Estimated Annual Burden and Respondent Costs Table

Information Activity or IC (with type of respondent)	Respondent Response Rate	Number of Respondents	Number of Responses	Average Burden Hours per Response	Total Annual Burden Hours	Estimated Respondent Average Hourly Wage	Total Annual Costs (hourly wage x total burden hours)
Application	Once	365	365	60	21,900	\$97.28	\$2,130,432
Annualized Totals		365	365		21,900		\$2,130,432

At \$97.28 per hour (using mean wages for Education and Childcare Administrators and assuming the total cost of labor, including benefits and overhead, is equal to 200 percent of the mean wage rate), the total estimated cost for 365 applicants to complete an SE Grant application, CMO Grant application, Developer Grant application, or SE subgrant application is approximately \$2,130,432.

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 is no additional annual cost burden to respondents and record keepers from this collection of information.

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.**

We estimate it will take 2 staff at the GS-13 level 70 hours to review applications for eligibility. This will result in a total cost to the federal government of 2 Staff at \$51/hour X 70 hours each staff person must work = \$7,140. The Department has contractor support to conduct the peer review process. The Department can use up to 1 percent of the discretionary budget for peer review costs. The total allocation for FY 2022 for SE Grants and Developer Grants is \$225,000,000, so the total available for peer review is \$2,250,000, for which the current contract is being solicited. Currently, the peer review for SE Grants is estimated at \$315,260, and the peer review for

Developer Grants is estimated at \$125,235. The total allocation for CMO Grants is \$140,000,000, so the total available for peer review is \$1,400,000 for which the current contract is being solicited. Currently the peer review for CMO Grants is estimated at \$315,260. We estimate funding for new awards in FY 2022 will be \$73,030,445 for SE Grants, \$4,000,000 for Developer Grants, and \$53,744,013 for CMO Grants. The total cost to the Department for this collection is estimated to be \$762,895 annually.

- 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.

This is a request for a new information collection for the CSP, including rulemaking related to program. The new selection criteria and application requirements will result in an estimated 21,900 burden hours and 365 responses.

	Program Change Due to New Statute	Program Change Due to Agency Discretion	Change Due to Adjustment in Agency Estimate
Total Burden	21,900		
Total Responses	365		
Total Costs (if applicable)			

- 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 beginning and ending dates of the information collection will depend upon the publication of the Notice Inviting Applications for each program. Redacted narratives for successful applications are generally posted within 2 days of grant awards.

- 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.**

Such approval is not being requested.

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

There are no exceptions to the certifications.