

This request is for a revision of the approval for the reporting and recordkeeping requirements that are contained in the information collection 1845-0049 for Student Assistance General Provision in the regulations in Subpart J-Approval of Independently Administered Tests; Specification of Passing Score; Approval of State Process.

There are no forms or formats established by the Department for the reporting or recordkeeping requirements. These regulations govern the application for and approval of assessments by the Secretary by a private test publisher or State that are used to measure a student's skills and abilities. The administration of approved ATB tests may be used to determine a student's eligibility for assistance for the Title IV student financial assistance programs authorized under the Higher Education Act of 1965, as amended (HEA) when, among other conditions, the student does not have a high school diploma or its recognized equivalent.

The request for ATB test approval from independent test publishers or the request for approval of a State process will continue to be received by the Department as often as the test developers determine it is in their interest to apply for the Secretary's approval or as the agreement reaches its expiration consistent with the regulations in Subpart J.

**Section 668.144 – Application for test approval.**

Section 668.144(c) (16) & (d) (7) requires each test publisher or State to have a process for determining the level of training, knowledge, and skills of a test administrator, a process to determine the integrity of the test administrator and to report their process to the Secretary in its submission for test approval.

We estimate that a test publisher or State will on average take 3 hours to review its current process to establish that a test administrator has the necessary training, knowledge, skills and integrity to test students.

**AFFECTED ENTITIES and BURDEN:**

# of Respondents:      # of Responses:      # of Burden Hours:

Burden for State Entities

6                                  6      X 3 hours      18

Section 668.144(c)(17) & (d)(8) requires that a test publisher or a State to explain to the Secretary its test anomaly analysis, how it will identify potential test irregularities and how it will determine that test irregularities have occurred. Additionally, an explanation of the process and procedures for corrective action, including de-certification of a certified test administrator and to report information on when and how it will notify a test administrator, the Secretary, the institutions where the test irregularities occurred, that the test administrator has been decertified is required.

We estimate that a test publisher or State will on average take 75 hours to develop/review its test anomaly process and to establish its test anomaly analysis and explain it to the Secretary. That

explanation must include its test irregularity detection process, its corrective action process, including its decertification of test administrator process, as well as its reporting processes.

AFFECTED ENTITIES and BURDEN:

# of Respondents:	# of Responses:	# of Burden Hours:
Burden for State Entities		
*	6	X 75 hours 450

Section 668.144(c)(18) & (d)(9) requires that a test publisher or a State will describe to the Secretary the types of accommodations available to individuals with disabilities, including an explanation of any accessible technologies and a description of the process for a test administrator to identify and report when accommodations for individuals with disabilities were provided.

We estimate that a test publisher or State will on average take 1 hour to develop/review/update and describe to the Secretary the types of accommodations available to individuals with disabilities, the process the test administrator will use to support the identification of the disability and the process to report when accommodations were used.

AFFECTED ENTITIES and BURDEN:

# of Respondents:	# of Responses:	# of Burden Hours:
Burden for State Entities		
*	6	X 1 hour 6

\*=Avoids duplication of the universe of respondents at the time of filing.

**Sub-total for 34 CFR 668.144:**

For-Profit Entities

# of Respondents:	# of Responses:	# of Burden Hours:
6	18	474

**Section 668.150 - Agreement between the Secretary and a test publisher or a State.**

Section 668.150(b) (2) requires that each test publisher or State to obtain a certification statement from each prospective test administrator indicating that he or she is not currently de-certified and that if the test administrator becomes de-certified by another test publisher or State that the test administrator will immediately notify all other test publishers or States for whom the test administrator administers ATB tests.

We estimate that a test publisher or State will on average take .5 hours (30 minutes) to review its process to obtain a certification statement from each prospective test administrator. We estimate that each test publisher or State, as applicable, will take .08 hours (5 minutes) to review each certification.

AFFECTED ENTITIES and BURDEN:

## Burden for process development

# of Respondents:	# of Responses		# of Burden Hours
Burden for State Entities			
*	6	X .5 hours	3

## Burden for review of submitted certifications

# of Respondents:	# of Responses		# of Burden Hours
Burden for State Entities			
*	1,340	X .08 hours	107

\*=Avoids duplication of the universe of respondents at the time of filing.

Section 668.150(b)(6) requires that the test publisher or State immediately notify the test administrator, the Secretary, and the institutions where the test administrator previously administered the ATB tests when it de-certifies a test administrator.

We estimate that 1 percent of the universe of test administrators or 20 test administrators will become de-certified (2,000 test administrators X .01 = 20). We estimate that it will take test publishers and States 1 hour per de-certification to notify the test administrators, the Secretary, and the affected institutions for a total of 10 hours of burden.

## AFFECTED ENTITIES and BURDEN:

## Burden for decertification process

# of Respondents:	# of Responses		# of Burden Hours
Burden for State Entities			
*	13	X 1 hour	13

\*=Avoids duplication of the universe of respondents at the time of filing.

Section 668.150(b)(7) requires that, when the test publisher or State determines that ATB tests have been improperly administered, the affected students and prospective students must be notified by the respective test publisher or State. In addition, the regulations require that the respective test publisher or State are required to provide a report to the Secretary on the results of their review and determination of improper ATB test administration, the notifications to the institutions, students and prospective students.

We estimate that it will take each test publisher or State, as applicable, 3 hours to review their process to determine when ATB tests have been improperly administered. We estimate that 23,046 ATB tests will be provided per year and estimate that 2 %, or 481, of those tests could be improperly administered and affected students or prospective students would require notification from the test publisher or State. We estimate that the notification process and any follow-up contact to average .33 hours (20 minutes) per contact and .25 hours (15 minutes) per student.

## AFFECTED ENTITIES and BURDEN:

ATB test publishers or States to review process to determine when an ATB test has been improperly administered:

# of Respondents:	# of Responses		# of Burden Hours
Burden for State Entities			
*	6	X 3 hours	18

ATB test publisher or States immediate notification to affected students and prospective students of improper testing:

# of Respondents:	# of Responses		# of Burden Hours
Burden for State Entities			
*	322	X .25 hours	80

ATB test publishers or States reporting to the Department the results of review and notification to institutions and students who have been improperly tested:

# of Respondents:	# of Responses		# of Burden Hours
Burden for State Entities			
*	322	X .33 hours	106

\*=Avoids duplication of the universe of respondents at the time of filing.

Section 668.150(b)(13) requires that test publishers or a State analyze the test scores for all ATB test takers every 18 months to determine if there are any irregular patterns that raises an inference of improper test administration.

We estimate that a test publisher or State will on average take 75 hours to conduct its test anomaly process to establish its test anomaly analysis and report the results to the Secretary at the end of each 18-month period. That explanation must include its test irregularity detection process results, its corrective action process results, including its de-certification of test administrator process results, as well as its reporting processes.

## AFFECTED ENTITIES and BURDEN:

# of Respondents:	# of Responses:		# of Burden Hours
Burden for State Entities			
*	6	X 75 hours	450

Section 668.150(b)(15) requires that the test publisher or State immediately report to the Secretary if it finds any credible information indicating that the approved ATB test has been compromised.

We estimate 23,046 ATB tests will be taken each year, of that number we estimate that in .001 % of the tests or 23 cases will be compromised and therefore required to be reported to the Secretary. We estimate the collection of credible information and its reporting to the Secretary to take 1 hour per incidence.

AFFECTED ENTITIES and BURDEN:

# of Respondents:	# of Responses:	# of Burden Hours
Burden for State Entities		
*	15	X 1 hour 15

\*=Avoids duplication of the universe of respondents at the time of filing.

Section 668.150(b)(16) requires that the test publisher or State immediately report to the Office of the Inspector General of the Department of Education any credible information indicating that a test administrator or institution may have engaged in fraud or other criminal misconduct.

We estimate 23,046 ATB tests will be taken each year, of that number we estimate that in .001 % of the tests or 23 cases that there will be credible information indicating that a test administrator or institution may have engaged in fraud or other criminal conduct. We estimate the collection of credible information and its reporting to the Office of the Inspector General to take 1 hour per incidence.

AFFECTED ENTITIES and BURDEN:

# of Respondents:	# of Responses:	# of Burden Hours
Burden for State Entities		
*	15	X 1 hour 15

\*=Avoids duplication of the universe of respondents at the time of filing.

Section 668.150(b)(17) requires that all certified test administrators are required to report to the test publisher or State, respectively, the nature of the disability and any accommodations provided when approved ATB tests are given to individuals with disabilities.

We estimate that the average amount of time that a test publisher or State, as applicable, will take to review its process for having test administrators report the nature of the test taker's disability and any accommodation provided to the individual with the disability to be 1 hours per test.

AFFECTED ENTITIES and BURDEN:

# of Respondents:	# of Responses:	# of Burden Hours:
Burden for State Entities		
*	6	X 1 hour 6

\*=Avoids duplication of the universe of respondents at the time of filing.

**Sub-total for 34 CFR 668.150:**

# of Respondents:	# of Responses:	# of Burden Hours:
*	2,051	813

\*=Avoids duplication of the universe of respondents at the time of filing.

**Section 668.151 - Administration of tests.**

Section 668.151(g)(4) requires that institutions where approved ATB test are given by certified test administrators either at assessment centers or by an independent test administrators, maintain the name and address of the test administrator who administered the test.

Section 668.151(g)(5) requires that if the individual who took the test has a disability and as a result was unable to be evaluated by the use of a conventional test or required test accommodations, that documentation of the individual's disability and of the testing arrangements must be maintained by the institution.

We estimate that on average it will take an institution .08 hours (5 minutes) per ATB test to collect and maintain the identifier information on each test administrator for each ATB test provided. In addition, for the ATB test takers who are individuals with disabilities that it will take an additional .08 hours (5 minutes) per test taker to collect and maintain documentation on the individual's disability and the testing accommodations that were made by the test administrator for the ATB test-taker.

AFFECTED ENTITIES and BURDEN:

Section 668.151(g)(4) -requirement that institutions maintain the identifier information for all certified ATB test administrators.

Continuing Burden for Public Institutions

23,046 ATB test takers X .43% (933 Public institutions as a percentage of 2,170 participating institutions) = 9,910 X .08 hours = 793 hours

# of Respondents:	# of Responses:	# of Burden Hours:
933	9,910	793

Section 668.151(g)(5) -requirement that institutions collect and maintain documentation of the individual ATB test-takers disability and of any accommodating provided by the certified test administrator to the ATB test-taker (668.151(g)(5)).

AFFECTED ENTITIES and BURDEN:

Continuing Burden for Public Institutions

2,766 cases of individuals with disabilities taking an ATB test X 43% (Public institutions as a percentage of all participating institutions) 1,189 X .08 hours per case reported = 95 hours

# of Respondents:	# of Responses:	# of Burden Hours:
*	1,189	95

\*=Avoids duplication of the universe of respondents at the time of filing.

**Sub-total for 34 CFR 668.151:**

For-Profit Entities

# of Respondents:	# of Responses:	# of Burden Hours:
933	11,099	888

**Section 668.152 – Administration of tests by assessment centers.**

The regulations require that if the test assessment center scores the approved ATB test that it must provide a copy of the completed test to the test publisher or State, as applicable, on a weekly basis to include either; the name, address, and any other identifier provided by the test publisher or State of the test administrator who administered the test; or a report of all test-takers' scores and institutions to which the scores were sent and the name, address, and any other identifier provided by the test publisher or State of the test administrator who administered the test.

We estimate that of the 2,000 test administrators, approximately one-third or 660 are at test assessment centers.

AFFECTED ENTITIES and BURDEN:

Continuing Burden for Public Institutions

We estimate that 85% of the test assessment centers giving ATB tests are at public institutions.

$$660 \text{ assessment centers} \times .85 = 561$$

$$\times \underline{\hspace{1cm} .17 \text{ hours (10 minutes)}} \hspace{1cm}$$

$$\times \underline{\hspace{1cm} 52 \text{ weeks}} \hspace{1cm}$$

equals 4,959 hours of additional burden.

# of Respondents:	# of Responses:	# of Burden Hours:
Subtotal		
561	29,172	4,959

**Sub-total for 34 CFR 668.152:**

# of Respondents:	# of Responses:	# of Burden Hours:
561	29,172	4,959

TOTALS

Respondents	1,500
Responses	42,340
Burden Hours	7,135