

**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.**

The U.S. Department of Education (the Department) is requesting an extension with an adjustment to the currently approved information collection OMB No. 1810-0662. This collection of information is necessary to collect information under the Title I, Part C Migrant Education Program (MEP). The MEP is authorized under sections 1301-1309 of Part C of Title I of the Elementary and Secondary Education Act of 1965,<sup>1</sup> as amended (ESEA). Regulations for the MEP are found at 34 CFR §§ 200.81-200.89. This information collection covers regulations with information collection requirements (see below). These requirements pertain to information that State educational agencies (SEAs) must collect in order to properly administer the MEP. Most provisions do not require SEAs to submit the information collected to the Department, with the exception of the provisions under 34 CFR § 200.89(b).

The regulations with information collection requirements are 34 CFR §§ 200.83, 200.84, 200.88, and 200.89(b)-(d). There is one additional MEP regulatory section, 34 CFR § 200.85, which contains information collection requirements. Those information collection requirements, which pertain to the Migrant Student Information Exchange (MSIX), are covered by OMB No. 1810-0683.

- 34 CFR § 200.83 establishes minimum requirements a State Educational Agency (SEA) must meet for development of a comprehensive needs assessment and comprehensive State plan for service delivery as required under section 1306(a) of the ESEA.
- 34 CFR § 200.84 establishes minimum requirements the SEA must meet to implement the program evaluation required under section 1304(c)(5) of the ESEA.
- 34 CFR § 200.88 clarifies for the purposes of the MEP, only "supplemental" State or local funds that are used for programs that meet the intent and purposes of the MEP may be excluded in terms of determining compliance with the "comparability" and "supplement, not supplant" provisions of the statute (section 1118 of the ESEA).

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<sup>1</sup> Throughout this document, unless otherwise indicated, citations to the ESEA refer to the ESEA, as amended by the Every Student Succeeds Act (ESSA).

- 34 CFR § 200.89(b) establishes the minimum requirements an SEA must meet to carry out re-interviews of a sample of migratory families. Re-interviews allow SEAs to examine and validate their statewide MEP eligibility determinations, to generate a defect rate for adjusting SEA migratory child counts, if necessary, and to ensure ongoing quality control in future eligibility determinations. This regulatory requirement is consistent with sections 1303(e) and 1309(2)-(5) of ESEA.
- 34 CFR § 200.89(c) establishes minimum requirements an SEA must meet to document its eligibility determinations under the MEP (including the use of a standard Certificate of Eligibility (COE) form). This regulatory requirement is consistent with sections 1303(e) and 1309(2)-(5) of the ESEA.
- 34 CFR § 200.89(d) establishes minimum requirements for a system of quality controls that an SEA must implement to ensure accurate eligibility determinations under the MEP. This regulatory requirement is consistent with sections 1303(e) and 1309(2)-(5) of the ESEA.

The relevant [statute](#) and [regulations](#) are linked. One information collection instrument, the National COE Instructions under 34 CFR § 200.89(c), is also provided with this Supporting Statement.

**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 needs assessment and service delivery information required by 34 CFR § 200.83 are used by the SEA to design and implement an effective statewide MEP. The evaluation information required by 34 CFR § 200.84 is used by the SEA to assess the effectiveness of the statewide MEP and to promote improved service delivery. The advance written determination by an SEA required by 34 CFR § 200.88(b) (that a State or locally funded program meets the intent and purposes of Part C of Title I) is used by the SEA to support the exclusion of "supplemental" State or local funds in determining compliance with the "comparability" and "supplement, not supplant" provisions of the statute.

The re-interview information required by 34 CFR § 200.89(b) is used by the SEA and the Secretary to estimate the accuracy of program eligibility determinations and to make needed improvements. The re-interview information is also used by the Secretary to make necessary adjustments to State MEP allocations; such information was used to adjust FY 2009 MEP allocations. The eligibility materials required by 34 CFR § 200.89(c) are used by SEAs to clearly document the basis for the determination of program eligibility of each migratory child identified by the SEA and for determining which children are eligible for MEP services. The information required by 34 CFR § 200.89(d) is used by the SEA to examine and document the implementation of its quality control system and to enable the SEA to determine and implement necessary improvements.

As noted in response to Item 1, this collection of information does not require SEAs to submit the information collected to the Department except for 34 CFR § 200.89(b). Instead, the

information is for SEAs to use in documenting eligible migratory children and in designing, operating and evaluating their State MEP.

- 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.**

The regulations themselves do not require nor preclude SEAs from using automated, electronic, mechanical, or other technological collection techniques to reduce burden. As noted earlier, most of the information to be collected by SEAs will not be further collected by the Department from the SEAs (with the exceptions of 34 CFR § 200.89(b)). SEAs electronically report as part of the Consolidated State Performance Report (CSPR) the results of the information collected under 34 CFR § 200.89(b)(2). The information collected under 34 CFR § 200.89(b)(1) would be collected, if necessary, via a report that SEAs would send electronically to the Department. Many SEAs will use information technology (e.g., an electronic COE) to collect and analyze data. Facsimile and computer systems will be used to transmit and store data.

- 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 eligibility documentation information, re-interviewing information, quality control process documentation, needs assessment and service delivery information, evaluation information, and the advance written determination supporting the exclusion of "supplemental" State or local funds in determining compliance with the "comparability" and "supplement, not supplant" provisions of the statute required by this collection are unique to this program and the particular grantee. Other than State assessment data to be collected under the Title I assessment requirements for use in 34 CFR §§ 200.83 and 200.84, the information to be collected by the SEA under 34 CFR §§ 200.83, 200.84, and 200.88 and §§ 200.89(b), 200.89(c) and 200.89(d) are not in any other data collection, and are necessary for the SEA to design, implement, and improve its Statewide MEP.

- 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.**

Small businesses and entities are not impacted by this data collection.

**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.**

The Department would be unable to calculate State MEP allocations and to adjust allocations in cases where SEAs have identified high numbers of ineligible children. In addition, the Department would be unable to monitor adequately SEA implementation and operation of the MEP and use of Federal funds.

**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 regulations do not require the information collection to be conducted in a manner inconsistent with the requirements of 5 CFR 1320.5(d)(2).

**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.**

Program staff consult with grantees regarding these information collection requirements on an ongoing basis, through technical assistance, monitoring, and during meetings with MEP State Directors and other MEP stakeholders. Topics discussed include: the requirements for, and frequency of data collection, and availability for States' comprehensive needs assessment, service delivery plan, and program evaluation (34 CFR §§ 200.83 and 200.84); documentation of eligibility decisions through use of the Certificate of Eligibility (34 CFR §§ 200.89(c)); as well as the processes and procedures used to sustain or improve quality control of eligibility determinations (34 CFR §§ 200.89(d)), including those for conducting re-interviews (34 CFR §§ 200.89(b)(2)).

ED published a 60-day Federal Register Notice on February 23, 2023. We received a total of four public comment submissions, two of which were substantive and pertained to the information collection. Responses to those comments are provided as an attachment. Changes were made to the information collection instrument (i.e., the National COE Instructions/Template) as a result of the public comment submissions, as explained in the attachment. The 60-day Notice will be followed by a 30-day Federal Register Notice, to solicit additional comments from the public.

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

The regulations do not require gifts or payments to be made to respondents.

**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.<sup>2</sup> 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. 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.**

The specific MEP regulations discussed in this information collection package require no assurance of confidentiality. However, because the COE form required under 34 CFR § 200.89(c) is an “education record,” State and local operating agencies are required to comply with the Family Educational Rights and Privacy Act (FERPA) of 1974. FERPA establishes when States and local operating agencies can and cannot disclose “education records” without parental consent.

**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.**

The regulations do not require any questions of sensitive nature in this collection of information.

**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.**

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<sup>2</sup> 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 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.**

**Estimated Annual Burden and Respondent Costs Table**

Information Activity or IC (with type of respondent)	Sample Size (if applicable)	Respondent Response Rate (if applicable)	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)
Needs assessment and State plan for service delivery (34 CFR § 200.83)	N/A	N/A	46 SEAs	46	1,083.5	12,460 <sup>3</sup>	\$25	\$311,506
Evaluation (34 CFR § 200.84)	N/A	N/A	46 SEAs	46	440	5,060 <sup>4</sup>	\$25	\$126,500
Written determinations re: supplemental State and local funds (34 CFR § 200.88)	N/A	N/A	46 SEAs	46	4	46 <sup>5</sup>	\$25	\$1,150
Retrospective re-interviewing (34 CFR §200.89(b)(1))	N/A	N/A	2 SEAs	2	1,200	1,053 <sup>6</sup>	\$10	\$14,334
					380		\$25	
	N/A	N/A	600 Parents/guar	600	0.5	100	\$0	\$0

<sup>3</sup> 34 CFR §§ 200.83 is a one-time requirement per ESEA authorization, so burden hours are annualized over a four-year period.

<sup>4</sup> 34 CFR §§ 200.84 is a one-time requirement per ESEA authorization, so burden hours are annualized over a four-year period.

<sup>5</sup> 34 CFR §§ 200.88 is a one-time requirement per ESEA authorization, so burden hours are annualized over a four-year period.

<sup>6</sup> 34 CFR § 200.89(b)(1) is a one-time requirement over a three-year period, so burden hours are annualized over a three-year period.

Information Activity or IC (with type of respondent)	Sample Size (if applicable)	Respondent Response Rate (if applicable)	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)
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Prospective re-interviewing (34 CFR §200.89(b)(2))	N/A	N/A	46 SEAs	46	175	10,534 <sup>7</sup>	\$10	\$142,600
					54		\$25	
	N/A	N/A	2,300 Parents/guardians	2,300	0.5	1,150	\$0	\$0
Eligibility determinations (34 CFR §200.89(c))	N/A	N/A	46 SEAs	46	8,836.95	135,500 <sup>8</sup>	\$10	\$1,355,000
	N/A	N/A	108,400 Parents/guardians	108,400	2		72,267	
Quality control procedures (34 CFR §200.89(d))	N/A	N/A	46 SEAs	46	1,378.26	63,400 <sup>9</sup>	\$25	\$1,585,000
Annualized Totals	-	-	<b>108,446<sup>10</sup></b>	<b>111,578</b>	-	301,570	-	\$3,536,090

We estimate that it will require 13,552 hours per SEA respondent and 2.5<sup>11</sup> hours per migratory parent to respond to the requirements of these regulations.

We estimate that a total of 46 SEAs will be subject to these requirements because the SEAs for Rhode Island, Connecticut, West Virginia, Wyoming, the District of Columbia, and Puerto Rico no longer participate in the MEP. The requirement to conduct retrospective re-interviewing under 34 CFR § 200.89(b)(1) is a one-time requirement over a three-year period. Because less than two SEAs have been required to conduct retrospective re-interviews since 2008, we estimate this requirement will apply to no more than 2 SEAs over the next three years. The requirements of 34 CFR §§ 200.83, 200.84, and 200.88 are one-time requirements per ESEA

<sup>7</sup> 34 CFR § 200.89(b)(2) is an annual requirement.

<sup>8</sup> 34 CFR § 200.89(c) is a one-time requirement over a three-year period, so burden hours are annualized over a three-year period.

<sup>9</sup> 34 CFR § 200.89(d) is an annual requirement.

<sup>10</sup> Note that total number of respondents does not equal the sum of the preceding figures in this column because each SEA and parent is counted once for the entirety of the collection, to avoid duplicating or overcounting respondents.

<sup>11</sup> Note that total number of burden hours per migratory parent does not equal the sum of the figures in the “Average Burden Hours per Response” column because a migratory parent would only respond to 34 CFR § 200.89(b)(1) or 34 CFR § 200.89(b)(2) each year, not both requirements.



authorization, so burden hours are annualized over a four-year period (ESEA is currently authorized for FYs 2017-2020).

We estimate an average of \$25/hour for SEA staff carrying out analysis and reporting in 34 CFR §§200.83, 200.84, 200.88, and 200.89(d), and \$10/hour for SEA staff carrying out interviews in 34 CFR §§200.89(c). We estimate an average of \$25/hour and \$10/hour for SEA staff carrying out interviews in 34 CFR §§200.89(b).

These estimates were developed by program staff in consultation with State-level MEP Directors representing nine U.S. regions.

**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:**

The only costs to respondents are those shown above for staff time for data collection and reporting. There should be no record-keeping costs beyond those covered under customary and usual business practices.

**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.**

Federal costs associated with this collection of information consist of staff time to monitor SEAs.

**Estimated Annualized Federal Cost of Department Monitoring**

In regard to staff time for monitoring SEAs, Department staff could be expected to spend two hours reviewing an SEA's needs assessment and service delivery plan (34 CFR § 200.83); two hours reviewing a SEA's program evaluation (34 CFR § 200.84); one-half hour reviewing SEA's written determinations supporting the exclusion of State or local funds from "comparability" and "supplement, not supplant" provisions of the statute in preparation for program monitoring (34 CFR § 200.88); four hours reviewing an SEA's retrospective re-interviewing documentation (34 CFR § 200.89(b)(1)); two hours reviewing an SEA's prospective re-interviewing documentation (34 CFR § 200.89(b)(2)); five hours reviewing an SEA's COEs (34 CFR §200.89(c)); and two hours reviewing an SEA's Quality Control system and documentation (34 CFR § 200.89(d)).

<b>§ 200.83 Activities</b>						
<b>Number of Needs Assessments &amp; Service Delivery Plans</b>	<b>Review Time</b>	<b>Total Review Time</b>	<b>Wage Rate for Personnel</b>	<b>Total Personnel Cost</b>	<b>Other Costs</b>	<b>Total Cost of Review</b>
16 SEAs	2 hours	32 hours	\$59	\$1,888	0.00	\$1,888

<b>§ 200.84 Activities</b>						
<b>Number of Program Evaluations</b>	<b>Review Time</b>	<b>Total Review Time</b>	<b>Wage Rate for Personnel</b>	<b>Total Personnel Cost</b>	<b>Other Costs</b>	<b>Total Cost of Review</b>
16 SEAs	2 hours	32 hours	\$59	\$1,888	0.00	\$1,888

<b>§ 200.88 Activities</b>						
<b>Number of Program Exclusions</b>	<b>Review Time</b>	<b>Total Review Time</b>	<b>Wage Rate for Personnel</b>	<b>Total Personnel Cost</b>	<b>Other Costs</b>	<b>Total Cost of Review</b>
16 SEAs	.5 hours	8 hours	\$59	\$472	0.00	\$472

<b>§ 200.89(b) Activities</b>						
<b>Re-interviewing documentation</b>	<b>Review Time</b>	<b>Total Review Time</b>	<b>Wage Rate for Personnel<sup>12</sup></b>	<b>Total Personnel Cost</b>	<b>Other Costs</b>	<b>Total Cost of Review</b>
16 SEAs <sup>13</sup>	6 hours	96 hours	\$59	\$5,664	0.00	\$5,664

<b>§ 200.89(c) Activities</b>						
<b>Eligibility documentation</b>	<b>Review Time</b>	<b>Total Review Time</b>	<b>Wage Rate for Personnel</b>	<b>Total Personnel Cost</b>	<b>Other Costs</b>	<b>Total Cost of Review</b>
16 SEAs	5 hours	80 hours	\$59	\$4,720	0.00	\$4,720

<b>§ 200.89(d) Activities</b>						
<b>Quality Control Documentation</b>	<b>Review Time</b>	<b>Total Review Time</b>	<b>Wage Rate for Personnel</b>	<b>Total Personnel Cost</b>	<b>Other Costs</b>	<b>Total Cost of Review</b>
16 SEAs	2 hours	32 hours	\$59	\$1,888	0.00	\$1,888

The total annual cost to the Federal Government for Department monitoring of SEAs is \$16,520.

**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.**

There were program adjustments. The total annual burden hours increased from 228,135 to 301,570, primarily due to feedback received in consultation with the MEP Coordination Work Group (CWG), representing MEP State Directors across nine US regions. Burden increases were partially offset by a decrease in the number of eligible migratory children, from approximately 304,000 to 271,000 nationally.

The total annual burden hours for 34 CFR § 200.83 were increased from 12,000 to 12,460.25 and

<sup>12</sup> FY 2023 pay rate for a GS-12/10

<sup>13</sup> 16 SEAs reflects an annualized figure – over 3-years -- of the 46 SEAs to be reviewed

the total annual costs for SEAs were increased from \$300,012 to \$311,506 – an increase of 460.25 hours and \$11,494. The total annual burden hours for 34 CFR §200.89(b)(2) were increased from 8,142 to 11,684 and the total annual costs for SEAs were increased from \$105,800 to \$142,600 – an increase of 3,542 hours and \$36,800. The total annual burden hours for 34 CFR §200.89(c) were increased from 172,267 to 207,767 and the total annual costs for SEAs were increased \$1,114,667 to \$1,354,999— an increase of 35,500 hours and \$240,332. The total annual burden hours for 34 CFR §200.89(d) were increased from 29,467 to 63,400 and the total annual costs for SEAs were increased from \$736,667 to \$1,584,999— an increase of 33,933 hours and \$848,332. The total upward adjustment is 73,435 burden hours.

	<b>Program Change Due to New Statute</b>	<b>Program Change Due to Agency Discretion</b>	<b>Change Due to Adjustment in Agency Estimate</b>
<b>Total Burden</b>			73,435 hours increase
<b>Total Responses</b>			13,200 decrease
<b>Total Costs (if applicable)</b>			

**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 collection of information does not require publication of the information (except for 34 CFR § 200.89(b)) or use of complex analytical techniques. The defect rates reported under 34 CFR § 200.89(b)(1) will be reported by the Secretary in tabular form to the States, Congress and the public.

The information collection is ongoing, and necessary for each SEA to design, implement, and improve its Statewide MEP.

The following requirements need to be implemented at least once during the current period of authorization for ESEA: needs assessment and service delivery plan under § 200.83, program evaluation under 34 CFR § 200.84, and the SEA's advance written determination that a State or locally funded program meets the intent and purposes of part C of Title I under 34 CFR § 200.88.

The retrospective re-interviewing process required under 34 CFR § 200.89(b)(1), which has already been done by SEAs, had to be implemented once during the previous period of authorization of ESEA. The prospective re-interviewing process under 34 CFR § 200.80(b)(2) must be implemented annually. Identification of eligible migratory children and documentation of eligibility status under 34 CFR § 200.89(c) is an activity carried out on an ongoing basis. SEAs must implement the quality control processes required under 34 CFR § 200.89(d) throughout the period of authorization of ESEA.

**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 Department is not seeking this approval.

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

Exception (i) in Item 20 – Statistical survey methodology does not apply. There are no proposed exceptions to the certifications.