# **SUPPORTING STATEMENT**

# **FOR PAPERWORK REDUCTION ACT SUBMISSION**

Teacher Loan Forgiveness Forms

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.**

Sections 460 and 428J of the Higher Education Act of 1965, as amended (HEA) provide for teacher loan forgiveness in William D. Ford Federal Direct Loan (Direct Loan) Program and the Federal Family Education Loan (FFEL) Program. Borrowers who teach for five consecutive years at schools or educational service agencies serving low-income families and meet certain other requirements may receive up to $17,500 in loan forgiveness. The teacher loan forgiveness regulations at 34 CFR 685.217 (for the Direct Loan Program) and 34 CFR 682.216 (for the FFEL Program) require borrowers to provide their loan holders with documentation establishing their eligibility for teacher loan forgiveness and for teacher loan forgiveness forbearance. The U.S. Department of Education (ED) is requesting an extension of the currently approved forms. To reflect regulatory changes made by a final rule published on November 1, 2022 (87 FR 65904), we have updated language related to the capitalization of unpaid interest that accrues during periods of forbearance. ED is otherwise making no substantive changes to the language in either of the two currently approved forms, and there are no changes to the data elements.

1. **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 Teacher Loan Forgiveness Application included in this submission is used by loan holders to collect information needed to determine whether a borrower is eligible for teacher loan forgiveness based on qualifying teaching service. A borrower applies for teacher loan forgiveness by completing the application and returning it to their loan holder. The Chief Administrative Officer(s) of the school(s) or educational service agency(ies) where the borrower performed the qualifying teaching service must certify the borrower’s application.

The Teacher Loan Forgiveness Forbearance Request included in this submission is used by loan holders to collect information needed to determine whether a borrower is eligible for forbearance on the borrower’s outstanding federal student loans during the period when the borrower is performing the qualifying teaching service. During the five years of required teaching, a borrower may apply annually for forbearance on the loans for which they are seeking forgiveness if the loan forgiveness amount for which the borrower qualifies will satisfy the anticipated outstanding balance on the borrower’s loans upon completion of the qualifying teaching service. A borrower applies for forbearance by completing the form and returning it to the borrower’s loan holder. This form is self-certifying.

1. **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.**

Since the Teacher Loan Forgiveness Application requires a borrower’s signature and a signed certification from the chief administrative officer of the borrower’s school or educational service agency, the United States Postal Service currently provides the best means for borrowers to return completed applications to their loan holders. Most loan holders also have secure portals where the documents can be electronically uploaded.

The Teacher Loan Forgiveness Forbearance Form requires only the borrower's signature. Therefore, loan holders allow borrowers to submit the forbearance form electronically.

1. **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.**

There is no information available from other sources that can be used for the purpose described in Item 2 of this supporting document.

1. **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.**

No small businesses are affected by this information collection.

1. **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 data must be collected to determine a borrower’s eligible for teacher loan forgiveness. Without the collection of this data, a borrower could not receive the benefit of loan forgiveness.

The regulations in 34 CFR 685.217 and 34 CFR 682.216 require a borrower to apply for loan forgiveness with their loan holder. Therefore, a borrower who is seeking forgiveness of multiple loans that are with different holders may be required to complete more than one Teacher Loan Forgiveness Application or Teacher Loan Forgiveness Forbearance Request.

1. **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.**

This information collection does not involve any of the conditions listed in 5 CFR 1320.5(d)(2).

1. **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 June 20, 2023, a notice was published in the Federal Register (Vol. 88, No. 117, page 39835) inviting public comment on this proposed forms. No substantive comments were received.

There were changes made to the forms based on internal review. The forms presented with this 30 day public comment request include a revised Privacy Act Statement. The Privacy Act Statement has been updated to reflect the most recent version of the applicable Systems of Records Notice for these forms. The updates to the Privacy Act Statement do not change the estimated number of respondents/responses/burden hours previously proposed. There are no other changes to the draft forms that were posted for the initial 60-day public comment period.

The Department is now requesting the 30 day public comment period.

1. **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 will be provided to the respondents.

1. **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]](#footnote-2) 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.**

These teacher loan forgiveness forms include a Privacy Act Disclosure Notice that (1) informs the borrower of the statutory authority for collecting the information; (2) explains that the disclosure of the information is voluntary, but that it is required in order for the borrower to be considered for the forgiveness; and (3) identifies the third parties to whom the information may be disclosed and explains the circumstances under which such disclosures may occur. This information is included in the Systems of Record Notice Common Services for Borrowers (CSB) 18-11-16.

1. **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.**

These teacher loan forgiveness forms do not contain any sensitive questions.

1. **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**](https://www.bls.gov/oes/current/oes_nat.html) **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.**

The total estimated annual reporting hour burden for this information collection is approximately 2,871 hours (2,640 for the application and 231 for the forbearance form) for the Direct Loan Program and the FFEL Program. The burden estimate was calculated as follows:

*Teacher Loan Forgiveness Application*

|  |  |
| --- | --- |
| Estimated annual number of respondents: | 8,000 |
| Number of responses per borrower: | x 1 |
| Hours per response: | x 0.33 (20 minutes) |
| Annual hour burden: | 2,640 hours |

*Teacher Loan Forgiveness Forbearance Request*

|  |  |
| --- | --- |
| Estimated annual number of respondents: | 700 |
| Number of responses per borrower: | x 1 |
| Hours per response: | x 0.33 (20 minutes) |
| Annual hour burden: | 231 hours |

Estimated Annual Burden and Respondent Costs Table

| Information Activity or IC (with type of respondent) | 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) |
| --- | --- | --- | --- | --- | --- | --- |
| Individual | 8,700 | 8,700 | .33 | 2,871 | $22.00 | $63,162.00 |
| For-Profit Institutions | N/A | N/A | N/A | N/A | N/A | N/A |
| Private Institutions | N/A | N/A | N/A | N/A | N/A | N/A |
| Public Institutions | N/A | N/A | N/A | N/A | N/A | N/A |
| Annualized Totals | **8,700** | **8,700** |  | **2,871** |  | **$63,162** |

For individuals we have used the median hourly wage for all occupations, $22 per hour according to BLS. <https://www.bls.gov/oes/current/oes_nat.htm#00-0000> .

***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.***

1. **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 are no capital/startup costs to respondents, nor are there any annual costs to respondents associated with operating or maintaining systems or purchasing services.

1. **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.**

There is no significant annualized cost to the federal government. For the Direct Loan Program and for FFEL Program loans that ED holds, ED’s contracts with its federal servicers are not based on a fee-for-service model; rather, ED pays its servicers based on performance metrics. For FFEL Program loans not held by ED, there is no significant cost associated with this collection, since FFEL Program loan holders distribute the forms, collect the information, and process the loan forgiveness and forbearance requests. The government incurs no additional cost merely as a result of this information collection.

1. **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** |
| **Total Burden** |  |  |  |
| **Total Responses** |  |  |  |
| **Total Costs (if applicable)** |  |  |  |

ED is not reporting any changes. The number of respondents remains 8,700, the number of responses remains 8,700, and the number of burden hours remain 2,871 for this collection.

1. **For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

The results of this collection will not be published.

1. **If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

ED is not seeking this approval.

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

ED is not requesting any exceptions to the "Certification for Paperwork Reduction Act Submissions" of OMB Form 83-I.

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) [↑](#footnote-ref-2)