

Supporting Statement for Form SSA-1372-BK and SSA-1372-BK-FC
Advance Notice of Termination of Child's Benefits and
Student's Statement Regarding School Attendance
20 CFR 404.350-404.352, 404.367-404.368
OMB No. 0960-0105

A. **Justification**

1. **Introduction/Authoring Laws and Regulation**

Section 202(d) of the *Social Security Act (Act)* provides, under certain conditions, for payment of monthly benefits to children of entitled workers who have not attained the age of 19 and are full-time elementary or secondary school students. The Social Security Administration (SSA) collects the following on Forms SSA-1372-BK and SSA-1372-BK-FC: (1) information from students regarding their attendance at an educational institution, and (2) verification of students' allegations about school attendance from a school official.

20 CFR 404.350- 404.352, 404.367, and 404.368 of the *Code of Federal Regulations* describe the information necessary to determine student eligibility. Section 205(a) of the Act, as amended, allows us to collect this information. Furnishing us this information is voluntary.

2. **Description of Collection**

The children of retired, deceased, or disabled beneficiaries who remain full-time students at age 18 may be entitled to benefits until they reach age 19 or complete their secondary (grade 12 or below) education, whichever occurs first, if all of requirements for child's benefits are met. Three months before turning 18, SSA will automatically mail each child beneficiary a notice along with the SSA-1372. In initial claims, SSA gives or mails the SSA-1372 to the student at the time the application for child's benefits is completed if the child meets the requirements for child's benefits and is at least age 17 years and 6 months (or will be at least that age when the claim is processed).

SSA collects information on Forms SSA-1372-BK and SSA-1372-BK-FC to determine if the child of an insured worker is a full-time student at an elementary or secondary school, which would allow them to be entitled to student's benefits or meet the requirements to continue receiving child's benefits as a full-time student after turning 18.

Below we explain the reason for certain aspects of this collection:

- We ask respondents if they have a bank account. Absent evidence to the contrary, we consider the student to be a legally competent adult and pay benefits directly to him or her. If the student has a checking or savings account, for direct deposit, they must enroll through their financial institution or contact Social Security. When they contact SSA, an employee will verify the student's identity and obtain the account information needed to pay benefits by direct deposit. This corresponds to

our general payment and recovery policies., and in particular is necessary to ensure that newly adult beneficiaries receive benefits to an account under their own control and to prevent fraud.

- We ask respondents if they are full-time students, although we do not define this on the form itself. "Full-time" is defined in Sec. 202(d)(7) of the Act and CFR §404.367. A student is in full time attendance (FTA) if he or she is attending a school that provides elementary or secondary education (grade 12 or below) as determined under the law of the State or other jurisdiction in which it is located and is meeting both State and Federal standards for FTA. We consider the State requirements met if the school considers the student to be full-time based on the school's standards and practices for day students. To meet Federal standards, the student must generally be:
 - scheduled for attendance at the rate of at least 20 hours per week;
 - enrolled in a course that is not a correspondence course; and
 - enrolled in a course of study that is of at least 13 weeks' duration.

If attendance is less than 20 hours per week, a finding of FTA may be justified if the school's standards do not require at least 20 hours of weekly attendance to be considered full-time and attending that school is the student's only reasonable alternative; or if the student's medical condition precludes 20 hours of attendance. If the school's standards require more than 20 hours of weekly scheduled FTA, the student must meet the school's standards.

Because we cannot simply define FTA as a number of hours per week, we believe it is best not to define FTA and to allow the student to self-report based on the school's standards.

- We collect information about the student's past school attendance for situations such as:
 - Student may be eligible for retroactive benefits for period of time in last school year based on a protective filing date;
 - Student may be completing form during a summer break, in which case we need information about last school year.
 - Student may not have completed this form in a timely manner, and we may need information about the current and last school year.

If SSA needs information about a student's attendance in the last school year and the school is different from the school the student is currently attending, we would need certification of the student's attendance at the last school as well.

The data we collect allows SSA to determine student entitlement, and assess whether to terminate benefits. SSA uses the SSA-1372-BK for domestic student

claimants and the SSA-1372-BK-FC for student claimants living and attending school outside the United States. The respondents are student claimants for Social Security benefits; their respective schools; and in some cases, their representative payees.

3. **Use of Information Technology to Collect the Information**

SSA created a fillable PDF version of this form for respondents to download, complete, print, and submit to SSA. Per our recent risk assessment, we are not currently able to make the signature line on this form fillable.

The SSA field office manually processes the form by physically reviewing it. When processing an initial or re-entitlement claim, if the claims specialist determines the claimant is eligible, they will take action to award benefits. When processing conversion cases for student benefits (child is currently receiving benefits and attains age 18), if the claims specialist determines the child is eligible for benefits as a student, they will take action to continue the child's benefits. If the child alleges a disability, the claims specialist will also develop for childhood disability benefits. After processing the SSA-1372, the claims specialist stores a digital copy of the SSA-1372. If the beneficiary is not disabled and has not previously filed for disability, the SSA-1372 is stored in the Non-Disability Repository for Evidentiary Documents (NDRed), as the beneficiary will not have an electronic disability (eDIB) file. If the beneficiary does have an eDIB file, a claims specialist may record the SSA-1372 into the eDIB file via electronic fax, which will in turn automatically populate the document in the beneficiary's claim file record in NDRed.

This collection does not currently have a fully public-facing Internet version, as we prioritized other information collections for full electronic conversions. Given that IT Mod programming is an ongoing, dynamic project, we cannot provide specific timelines for when we will be able to make any particular ICR available via Internet web-based application. We will ultimately convert most existing ICRs to full electronic versions depending on how they fall within our overall IT Mod schema, but this may be unconnected to the PRA approval lifecycle. In the interim, we evaluated this collection for conversion to a submittable PDF and intend to make this conversion within the next 3-6 years. Once we have the submittable PDF ready for implementation, we will submit a Change Request to OMB for prior approval.

4. **Why We Cannot Use Duplicate Information**

The nature of the information we collect and the manner in which we collect it preclude duplication. SSA does not use another collection instrument to obtain similar data.

5. **Minimizing Burden on Small Respondents**

This collection does not affect small businesses or other small entities.

6. **Consequence of Not Collecting Information or Collecting it Less Frequently**
If we did not use Forms SSA-1372-BK and SSA-1372-BK-FC, we would not be able to determine a student's entitlement to benefits. Since we collect this information on an as needed basis, we cannot collect it less frequently. There are no technical or legal obstacles to burden reduction.
7. **Special Circumstances**
There are no special circumstances that would cause SSA to conduct this information collection in a manner inconsistent with 5 *CFR* 1320.5.
8. **Solicitation of Public Comment and Other Consultations with the Public**
The 60-day advance Federal Register Notice published on June 5, 2020, at 85 FR 34703, and we received no public comments. The 30-day FRN published on August 20, 2020 at 85 FR 51536. If we receive any comments in response to this Notice, we will forward them to OMB. We did not consult with the public in the revision of this form
9. **Payment or Gifts to Respondents**
SSA does not provide payments or gifts to the respondents.
10. **Assurances of Confidentiality**
SSA protects and holds confidential the information it collects in accordance with 42 *U.S.C.* 1306, 20 *CFR* 401 and 402, 5 *U.S.C.* 552 (Freedom of Information Act), 5 *U.S.C.* 552a (Privacy Act of 1974), and OMB Circular No. A-130.
11. **Justification for Sensitive Questions**
The information collection does not contain any questions of a sensitive nature.
12. **Estimates of Public Reporting Burden**

SSA-1372-BK:

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden per Response (minutes)	Estimated Total Annual Burden (hours)	Average Theoretical Hourly Cost Amount (dollars)*	Average Wait Time in Field Office (minutes) **	Total Annual Opportunity Cost (dollars) ***
SSA-1372-BK (students)	209,861	1	15	52,465	\$7.86*	24**	\$1,072,1
SSA-1372-BK State/Local/Tribal Government (school)	233,179	1	10	38,863	\$47.54*	0	\$1,847,5

officials)							
SSA-1372-BK (representative payees)	23,318	1	15	5,830	\$25.72	0	\$149,9
Totals	466,358			97,158			\$3,069,6

SSA-1372-BK-FC:

Modality of Completion	Number of Respondents	Frequency of Response	Average Burden per Response (minutes)	Estimated Total Annual Burden (hours)	Average Theoretical Hourly Cost Amount (dollars)*	Average Wait Time in Field Office (minutes)**	Total Opportunity Cost***
SSA-1372-BK-FC (students)	671	1	15	168	\$7.86*	Does not apply to FC version	
SSA-1372-BK-FC State/Local/Tribal Government (school officials)	746	1	10	124	\$47.54*	0	
SSA-1372-BK-FC (representative payees)	75	1	15	19	\$25.72	0	
Totals	1,492			311			
Grand Total	467,850			97,469			\$3,

* We based these figures on average DI hourly wages for single students based on SSA's current FY 2019 data (<https://www.ssa.gov/legislation/2020Fact%20Sheet.pdf>), the BLS.gov data for School Worker's hourly wages (https://www.bls.gov/oes/current/oes_nat.htm), and BLS.gov for representative payee (<https://www.bls.gov/oes/current/oes231011.htm>)

** We based this figure on the average FY 2020 wait times for field offices, based on SSA's current management information data.

*** This figure does not represent actual costs that SSA is imposing on recipients of Social Security payments to complete this application; rather, these are theoretical opportunity costs for the additional time respondents will spend to complete the application. There is no actual charge to respondents to complete the application. **There is no actual charge to respondents to complete the application.**

In addition, OMB's Office of Information and Regulatory Affairs is requiring SSA to use a rough estimate of a 30-minute, one-way, drive time in our calculations of the time burden for this collection. OIRA based their estimation on a spatial analysis of SSA's current field office locations and the location of the average population centers based on census tract information, which likely

represents a 13.97-mile driving distance for one-way travel. We depict this on the chart below:

Total Number of Respondents Who Visit a Field Office	Frequency of Response	Average One-Way Travel Time to a Field Office (minutes)	Estimated Total Travel Time to a Field Office (hours)	Total Annual Opportunity Cost for Travel Time (dollars)****
209,861	1	30	104,930	\$824,750

****We based this dollar amount on the Average Theoretical Hourly Cost Amount in dollars shown on the burden chart above.

Per OIRA, we include this travel time burden estimate under the 5 CFR 1320.8(a) (4), which requires us to provide “time, effort, or financial resources expended by persons [for]...transmitting, or otherwise disclosing the information,” as well as 5 CFR 1320.8(b)(3)(iii) which requires us to estimate “the average burden collection...to the extent practicable.” SSA notes that we do not obtain or maintain any data on travel times to a field office, nor do we have any data, which shows that the average respondent drives to a field office, rather than using any other mode of transport. SSA also acknowledges that respondents’ mode of travel and, therefore, travel times vary widely dependent on region, mode of travel, and actual proximity to a field office.

NOTE: We included the total opportunity cost estimate from this chart in our calculations when showing the total time and opportunity cost estimates in the paragraph below.

We base our burden estimates on current management information data, which includes data from actual interviews, as well as from years of conducting this information collection. Per our management information data, we believe that 10 minutes and 15 minutes accurately shows the average burden per response for reading the instructions, gathering the facts, and answering the questions. Based on our current management information data, the current burden information we provided is accurate. The total burden for this ICR is **97,469** burden hours (reflecting SSA management information data), which results in an associated theoretical (not actual) opportunity cost financial burden of **\$3,902,124**. SSA does not charge respondents to complete our applications.

13. **Annual Cost to the Respondents (Other)**

This collection does not impose a known cost burden on the respondents.

14. **Annual Cost To Federal Government**

The annual cost to the Federal Government is approximately **\$107,042**. This estimate accounts for costs from the following areas:

Description of Cost Factor	Methodology for Estimating	Cost in Dollars*
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	Cost	
Designing, Printing, and Distributing the Form	Design Cost + Printing Cost + Distribution Cost	\$1,299
SSA Employee (e.g., field office, 800 number, DDS staff) Information Collection and Processing Time	GS-9 employee x # of responses x processing time	\$104,375
Systems Development, Updating, and Maintenance	GS-9 employee x man hours for development, updating, maintenance	\$1,368
Total		\$107,042

SSA is unable to break down the costs to the Federal government further than we already have. First, since we work with almost every US citizen, we often do bulk mailings, and cannot track the cost for a single mailing. We do not track design costs or upkeep costs (as these are based on employee time and may vary from collection to collection). In addition, it is difficult for us to break down the cost for processing a single form, as field office and State Disability Determination Services staff often help respondents fill out several forms at once, and the time it takes to do so can vary greatly per respondent. As well, because so many employees have a hand in each aspect of our forms, we use an estimated average hourly wage, based on the wage of our average field office employee (GS-9) for these calculations. Finally, SSA prefers not to provide breakdowns of estimated payment to employees who process these items for a variety of reasons (only one of which is that it is not possible to do this entirely accurately).

15. **Program Changes or Adjustments to the Information Collection Request**

When we last cleared this IC in 2017, the burden was 18,526 hours. However, we are currently reporting a burden of 467,850 hours. This change stems from an increase in the number of responses from 200,096 to 467,850. There is no change to the burden time per response. Although the number of responses changed, SSA did not take any actions to cause this change. These figures represent current Management Information data.

*** Note:** The total burden reflected in ROCIS is **286,344**, while the burden cited in #12 of the Supporting Statement is **97,469**. This discrepancy is because the ROCIS burden reflects the field office waiting time + a rough estimate of a 30-minute, one-way, drive burden. In contrast, the chart in #12 of the Supporting Statement reflects actual burden.

16. **Plans for Publication Information Collection Results**

SSA will not publish the results of the information collection.

17. **Displaying the OMB Approval Expiration Date**

OMB granted SSA an exemption from the requirement to print the OMB expiration date on its program forms. SSA produces millions of public-use forms with life cycles exceeding those of an OMB approval. Since SSA does not periodically revise and reprint its public-use forms (e.g., on an annual basis), OMB granted this exemption so SSA would not have to destroy stocks of otherwise useable forms with expired OMB approval dates, avoiding Government waste.

18. **Exceptions to Certification Statement**

SSA is not requesting an exception to the certification requirements at 5 *CFR* 1320.9 and related provisions at 5 *CFR* 1320.8(b)(3).

B. Collections of Information Employing Statistical Methods

SSA does not use statistical methods for this information collection.