Tracking and OMB Number: 1810-new

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 request is for a new collection that had been previously approved under the OMB number 1855-0025. The information collected is part of the government-wide effort to improve the performance and accountability of all federal programs. For many years, ED has maintained processes for all discretionary grants to establish program performance goals and to measure and report program results, in addition to requiring grant recipients to establish project-specific performance measures. Program and project specific outcome and financial data for the Magnet Schools Assistance Program (MSAP) are reported by grantees in the Annual Performance Report (APR) required under 2 CFR 200.328 and 34 CFR 75.118 and 75.590.

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.**

   Data collection activities are designed to yield quantitative and qualitative data related to grantees' progress and performance outcomes, as well as program implementation activities and expenditures. The information collected will be used to: calculate MSAP's performance for its program measures, understand the performance of each grantee against the scope and objectives of their approved applications and any amendments, gather budget information and put the findings/outcomes into context. Exhibit 1 details the data collection instrument's mode of administration, content, needed completion time, and estimated timeline for administration. This document represents an effort to greatly streamline previous annual performance report requests for grantees. The APR data are used to ensure grantees are making substantial progress in meeting the scope and objectives of their projects established in the approved application and/or subsequent amendments in each budget year prior to receiving non-competitive continuation awards. To ensure the reporting of accurate and reliable data to Congress on program implementation and performance outcomes, the MSAP APR collects the raw data from grantees specific to the program-level performance in a consistent format to calculate these data in the aggregate. Additionally, this information collection includes specific information requests in order for the Department's Office of Civil Rights to meet its requirements under 20 U.S.C. § 7231d(b)(2)(C) of the MSAP statute.

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.

MSAP grantees submit APRs using an automated MSAP Annual Performance System (MAPS) maintained by contracted technical assistance providers for the program. The Data Tables and narrative questions have been updated and streamlined to focus on the key components and legal requirements of the MSAP program as it is being implemented by grantees today. The format and means of submission of this information outlined in the attached documents will not change from their current submission, however the specific questions have been greatly streamlined to reduces the grantees' burden in preparing and submitting the required information.

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 APR data collected through the MSAP Data Tables and Budget Form are not currently available or collected via the current OMB approved generic annual performance reporting forms and ED524. Therefore, the data collected via the MSAP Data Tables and Budget Form will not cause a duplication of efforts. Grantees are provided two opportunities in the year to enter and update information which allows them to provide information once and at the most timely point. The program office has worked to reduce all potentially duplicative requests from the previous, now outdated,collections. Additionally, grantees are able to upload and attach documentation rather than having to manually input information.

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.**

The program does not impact small businesses or other 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.**

Per EDGAR § 75.253, grantees must submit an APR. Without the data collection, ED could not report accurate and reliable program performance data to Congress, review grantee progress on a consistent basis to ensure substantial progress, and therefore hold grantees accountable for outcomes prior to approving continuation funding. The APR provides data on the status of the funded project that corresponds to the required program measures and commitments of the scope and objectives of each grantees outlined in their application or any amended materials. Additionally, this information collection is the most streamlined and efficient method for the grantees to provide information required by and utilized by two separate offices in the Department of Education, the program office, and the Office of Civil Rights, in our annual reviews.

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.**

In March 2024, the Office of Management and Budget (OMB) announced revisions to Statistical Policy Directive No. 15: Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity (SPD 15) and published the revised SPD15 standard in the Federal Register (89 FR 22182). The present ICR contains no changes to the race and ethnicity items that have historically been part of this collection and is therefore compliant with the 1997 SPD15 standard. *A request to revise the standards for this* *information collection will be submitted to OMB) at a time that states and funded projects have revised their student-level collections and reporting with the SPD 15 requirements to address the new federal statistical standard for race/ethnicity items.* The Department is currently working on an action plan for compliance with the newly revised SPD15 standards, which will fully take effect on March 28, 2029. Early discussions suggest that implementation of these standards will be particularly complex and delicate in data collections where race and ethnicity data is reported, to the Department, both by individuals about themselves and also provided by third parties providing aggregate data on the individuals they serve and represent (e.g., state and local education agencies, institutions of higher education).

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.

   The Department will publish 60 and 30 Federal Register notices as required by 5 CFR 1320.8(d), soliciting comments on this information collection.

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 were made and none are planned or contemplated.

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, 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.

There are no assurances of confidentiality.

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 data collection includes no questions of a sensitive nature.

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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[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)

- **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.

MSAP's APR data collection occurs semi-annually in two parts– the grantees provide information regarding implementation progress, use of funds, and performance data available at the midpoint, and then update this information within 30 days following the end of the performance period to provide final performance data for the year. The responding grantee's estimated annual hour burden is 45 minutes per MSAP school and up to 4.5 hours per grant with an average of 3 hours, as the number of schools in each MSAP project varies. We estimate 60 responses at an average of 6 hours per year for the two section for a total of burden of 360 hours. Please note that while this is a new information clearance request, it builds on the previous approvded collection, 1855-0025, and we are aware that the estimated burden here is considerably higher than in the previous collection. Upon reconsideration and based on practical experience, the original estimate seemed unduly low. In general, the proposed collection is intended to streamline and reduce previously duplicative lines of questioning; however in providing a more accurate assessment of burden hours, we understand this may cause confusion.

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)
MSAP APR	N/A	N/A		2	3	6	$44.82	$268
Annualized Totals			60	120		360		$16,135

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 are no costs that meet the criteria for inclusion under this item.

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.

Updating MSAP Data Tables and Budget clearance package (10 hrs x $50/hr	= $ 500
Staff time for review (3 staff x 60 hours/staff x $50/hr)	= $ 9,000
Cost of consultant/contractor to collect and analyze data	= $ 50,000

Estimated total cost to the Federal government = $ 59,500

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 are no changes or adjustments.

	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)			

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.

There are no plans for publication of the information.

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.

We will display the expiration date and the OMB approval number of the data collection.

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

There are no exceptions to the certification statement.