Tracking and OMB Number: **OSEP-1820-0682**
Revised: 08/06/2026

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 is an extension request for OSEP-1820-0682, State and EIS Record Keeping and Reporting Requirements under Part C. OMB Information Collection 1820-0682 was created to reflect the requirements in Part C of the IDEA in 20 U.S.C.1431-1443 and the final Part C regulations. These regulations require the 56 State lead agencies (LAs) that receive Part C funds to collect and maintain information or data and, in some cases, report information or data to other public agencies or to the public. These record-keeping requirements are not new and do not require reporting to the Secretary. This Information Collection was created to ensure that all Part C information responsibilities are documented and have been submitted for OMB review. The following table describes the information under Part C to be collected or maintained and identifies the legal requirement for each collection. These required listed collections are consolidated into 1820-0682.

| Required Collection | Statutory Authority | Regulatory Authority |
|---|---|---|
| *Free and low-cost legal services.* Each LA that adopts Part B due process procedures for Part C must inform the parent of any free or low-cost legal and other relevant services available in the area if the parent requests the information or the parent or EIS provider files a due process complaint under §303.440. | 20 U.S.C. 1439(a) | §303.430(d)(2)<br>§303.440(b) |
| *List of mediators*. Each LA must maintain a list of individuals who are qualified mediators and knowledgeable in laws and regulations relating to the provision of early intervention services. | 20 U.S.C. 1415(e)(2)(C) and 1439(a)(8) | §303.431(b)(2)(i) |
| *List of hearing officers.* Each LA that adopts Part B due process procedures for Part C must maintain a list of persons who serve as hearing officers, | 20 U.S.C. 1439(a) | §§303.430(d)(2); 303.443(c)(3) |

| Required Collection | Statutory Authority | Regulatory Authority |
|---|---|---|
| along with a statement of the qualifications of each of the persons. | | |
| *State complaint procedures.* Each LA must adopt written procedures for receiving and resolving complaints filed by any party that alleges that the LA or an EIS provider has violated a requirement of Part C of the Act or of the regulations in Part 303. | 20 U.S.C. 1439(a); 1435(a)(10) | §§303.430(c); 303.432 through 303.434 |

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 information is used by State lead agencies and is not collected by the U.S. Department of Education.

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.**

   State lead agencies are encouraged to use computer technology when feasible and cost effective. We estimate that approximately 70% of the information gathered through this collection will be collected electronically. There are no technical or legal obstacles to reducing the burden to State lead agencies.

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.**

   This information is related to specific statutory and regulatory requirements and is only collected and maintained according to these requirements. The information is not submitted to the Federal government. Therefore, there is no duplication.

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.**

This collection does not involve small businesses or 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.**

   States will not maintain and disseminate the statutory and regulatorily required information if the collection is not conducted or conducted less frequently.

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.**

This section is not applicable. No data or information is submitted to the U.S. Department of Education. Information collection methods and timing is at the discretion of the State lead agencies.

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.**

   We will respond to any comments submitted during the 60-day comment period.

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

   This item is not applicable. There is no assurance. There was no decision to provide any payment or gift 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.[1] If the collection is subject to the Privacy Act,**

[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

**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.**

This section is not applicable. There is no assurance of confidentiality provided to respondents.

**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.**

There are 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.**
- **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**

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)

**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) |
|---|---|---|---|---|---|---|---|---|
| *Free and low-cost legal services*.<br><br>Each Part C LA in FFY 2006 received an average of approximately 45 complaints. In FFY 2005, 15 LAs or 27% of States adopted Part B due process procedures for Part C and thus would have had to provide parents with this list of free and low cost services. The data burden is expected to require an average of 30 minutes per hearing request to inform parents of the availability of low-cost legal services. | N/A | N/A | 45 | 45 | 0.5 | 22.5 | $22 | $495 |
| *List of mediators.*<br><br>There are 56 State- level record keepers who must maintain a list of mediators. It is estimated to take approximately three hours annually for record keepers to | N/A | N/A | 56 | 56 | 3 | 168 | $22 | $3,696 |

| 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) |
|---|---|---|---|---|---|---|---|---|
| update and maintain the lists. | | | | | | | | |
| *List of hearing officers.*<br><br>Approximately 15 States have adopted Part B due process procedures for Part C. The LAs in these States must maintain a list of individuals who serve as hearing officers, along with the qualifications of each of the individuals. It is estimated to take approximately three hours annually for record keepers to update and maintain the lists. | N/A | N/A | 15 | 15 | 3 | 45 | $22 | $990 |
| *State complaint procedures*. Each of the 56 State LAs process, on average, 3 complaints annually. It takes an average of about 24 hours for a State LA to issue a written decision to a complaint. | N/A | N/A | 56 | 168 | 24 | 4032 | $22 | $88,704 |
| **Annualized Totals** | | | **56*** | | | **4267.5** | **$22** | **$93,885** |

***This information collection catalogs four distinct IDEA Part C record keeping and reporting requirements. While there are 56 IDEA Part C grantees, not all grantees are responsible for record keeping and reporting in all areas. As an example, only 15 States use Part B due process procedures. Therefore, only 15 states are required to maintain a list of hearing officers. The total cost is based on the total number of burden hours for the entire collection.

***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 | : | 0 |
| Total Annual Costs (O&M) | : | 0 |
| | | ---- |
| Total Annualized Costs Requested | : | 0 |

**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.**

There is no cost to the Federal government.

**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).**

There are no program changes or adjustments. The regulations in this collection are based on the burden for the *list of hearing officers and mediators, free and low-cost legal services,* and *State complaint procedures* due to revised regulatory requirements after the IDEA amendments of 2004.

| | **Program Change Due to New Statute** | **Program Change Due to Agency Discretion** | **Change Due to Adjustment in Agency Estimate** |
|---|---|---|---|
| **Total Burden** | **0** | **0** | **0** |
| **Total Responses** | **0** | **0** | **0** |
| **Total Costs (if applicable)** | **0** | **0** | **0** |

**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.**

No results will be published by the Federal government.

**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.**

This section is not applicable, since this is a recordkeeping requirement. There is no request to not display the expiration data for OMB approval.

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

This section is not applicable. There are no exceptions to item 19 of the "Certification for Paperwork Reduction Act Submissions."