

**SUPPORTING STATEMENT FOR
PAPERWORK REDUCATION ACT SUBMISSION**

**Migrant Education Program (MEP) Consortium Incentive Grants Application
[OMB 1810-0649]**

A. Justification

Q1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

A1. An application is required for the award of grants under the Migrant Education Program (MEP) Consortium Incentive Grant (CIG) program. The program provides competitive grants to State Educational Agencies (SEAs) that participate in high-quality consortium arrangements with another State or appropriate entity that will improve the delivery of services to migratory children whose education is interrupted. The program is authorized by section 1308(d) of the Elementary and Secondary Education Act of 1965 (ESEA), as amended. The Notice of final requirements included in the application package and published in the Federal Register on March 3, 2004 (69 FR 10110) describes the requirements and procedures for awarding the MEP consortium incentive grants. The grant competition occurs every two years, as the law permits.

The application form requests the minimum programmatic and budgetary information needed to evaluate applications based on the provision in the authorizing statute and selection criteria as authorized by section 75.210 of the Education Department General Administrative Regulations (EDGAR).

With the following exceptions, the requirements and procedures to be used are the same as those last used in making consortium incentive grant awards in FY 2006 and FY 2008. The criteria to be used for the next Fiscal Years, while still selected from the standard discretionary grant criteria in 75.210 of EDGAR, are more detailed than those used in FY 2006 with an eighth absolute priority included in the FY 2008 application, which was published in the Federal Register on March 12, 2008 (73 FR 13217).

Q2. 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

A2. The application enables a respondent to apply for Federal assistance. The application describes 1) the goals and measurable outcomes of the proposed consortium arrangement, and activities that each participating SEA or entity will conduct during each project period, including how it will improve the services to migratory children whose education is interrupted; 2) the need for and value of the proposed consortium arrangement to each participating SEA; and 3) the process each participating SEA will use for evaluating its progress in the consortium. The U.S. Department of Education uses the information provided in each application to competitively evaluate and select consortium arrangements, and to determine the amount of participating States' awards under the Notice of final requirements.

Q3. 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. Also describe any consideration of using information technology to reduce burden.

A3. Nothing precludes the SEA applicants from using information technology (e.g., fax or email) to communicate with each other in the development of their multi-State consortium applications. SEA applicants will be able to readily access the application and all related forms via the U.S. Department of Education's website. Applications will also be disseminated electronically to SEAs.

Q4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use of the purposes described in Item 2 above.

A4. The information supplied by the applicant is not in any other data collection, and is unique to this program and the particular grantee. The application is a single document intended to serve a specific authorized purpose, and is in keeping with statutory requirements.

Q5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.

A5. Small businesses are not impacted by this data collection.

Q6. 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.

A6. The collection is necessary in order to provide incentive grant funds to States under Section 1308(d) of ESEA.

Q7. Explain any special circumstance 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 that 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 which 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.

A7. There are no special circumstances that require the collection to be conducted in a manner inconsistent with the requirement of 5 CFR 1320.5.

Q8. If applicable, provide a copy and identify the date and page number of publication in the FEDERAL REGISTER of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

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.

A8. Because this collection is a discretionary grant it is being submitted under the “streamlined clearance process,” the Department did not publish a 60-day notice. However, the public was given the opportunity to comment on the previous collection in FY 2006 and no substantive comments on cost or hour burden were submitted relative to the information collection. Department staff has consulted via telephone and meetings with the FY 2006 applicants regarding their views on the information collection. No substantive suggestions for changes were provided. Department staff discussed the approved application process with prospective applicants at a meeting of State Directors of Migrant Education in Washington, DC in February 2008.

Q9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees

A9. No gift or payment will be made to application respondents other than the award to the grant recipient.

Q10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulations, or agency policy.

A10. No assurance of confidentiality is provided.

Q11. 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. This 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.

A11. There are no questions of sensitive nature in this collection of information.

Q12. Provide estimates of the hour burden of the collection of information. The statement should:

- *Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. 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 the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.

- If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.
- Provide estimates of annualized cost to respondents of the hour burdens for collections of information, identifying and using appropriate wage rate categories. 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.

A12. For the purpose of the MEP Consortium Incentive Grant program, each participating SEA in the consortium provides information to a lead SEA on its proposed activities under the consortium. The lead SEA uses that information to develop a single application package and submits that package to the Department on behalf of its consortium members. The estimated average respondent cost for an application is based roughly on 37.3 hours of preparation per application. The 37.3 hour figure is based on the total number of hours that it takes to prepare all of the applications divided by the number of applications that the Office of Migrant Education expects to receive. This estimate is based on the Office of Migrant Education's staff expertise regarding the amount of time that it will take both the lead State and the participating States to collect, assemble, prepare and submit an application that responds to the award criteria. There are 100 respondents with 30 lead states, a breakout of how that figure was derived is provided below.

Estimated hour burden per application

30 lead States x 24 hours per State	= 720 hours
100 participating entities x 4 hours per entity	= 400 hours
TOTAL BURDEN HOURS	= 1120 hours

1120 hours divided by 30 estimated applications = 37.3 hours per application

Total Burden Hours to Produce All Applications

Estimated Number of Respondents	Number of Hours	Total Hours	Description
30 Lead States (each application has a lead state)	24	720	This estimate includes the time that it takes for the lead State to collect and

			assemble submissions from all participating States and entities.
100 Participating Entities (this is a duplicate count that includes States that are involved in more than one consortium arrangement)	4	400	This estimate includes the time that participating States and entities spend preparing their submissions.

Estimates of annualized cost to respondents. We estimate respondent cost at an average of \$45.05/hour [equivalent to the pay of a GS13/5] so that the average cost per application would be $\$45.05 \times 37.3 \text{ hours} = \$1,680.37$.

It is estimated that a total of 30 applications will be received for the competition.

Total estimated cost: $\$1,680.37 \times 30 \text{ applications} = \$50,411.10$.

Since the applications will cover a two-year project period, the total annualized cost to respondents will be $\$50,411.10/2 \text{ years} = \$25,205.55/\text{year}$.

Total Annual Cost Per Application and for All Applications

Respondent Cost	Number of Hours Per Application	Cost Per Application (Cost x Hours)	Estimated Number of Applicants	Total Cost (over a 2 year application cycle)	Total Annualized Cost
\$45.05 per hour	37.3 hours	\$1,680.37	30	\$50,411.10	\$25,205.55/year ¹

Estimated data burden for grants:

Reporting burden per response (includes applying and preparing submission of application):

¹ This estimate is \$2,484.25 higher than the FY 2005 estimate (\$22,721.30) because the estimated respondent cost increased from an average hourly wage of \$40.61 to \$45.05 to reflect the increase in the average hourly pay of a GS13/5 from the 2005 to the 2008 General Schedule.

37.3 hours x 30 respondents = 1,119 hours

Since the applications will cover a two-year project period, the total annualized data burden will be 1,119 hours/ 2 years= 559.5 hours/year

Estimated Number of Applicants	Estimated Hours per Application	Total Burden Hours (over a 2 year application cycle)	Total Annualized Burden
30	37.3 hours	1,119 hours	559.5 hours/year

Q13. 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 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.*

A13. There are no startup costs.

Q14. 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.

A14. Estimated annualized Federal Cost:

Total Program Personnel Costs:

30 applications x 0.25 hours of review/application
x 1 federal reviewer @ \$33.43/hour [equivalent to the pay of
a GS 12/1] to screen the applications to ensure completeness
and that they reflect basic requirements (e.g., an absolute priority) = \$ 250.73

30 applications x 1 hour of review/application
x 3 federal reviewers/application @ \$45.05/hour
[equivalent to the pay of a GS13/5] to review against EDGAR criteria = \$4,054.50

4 hours for 1 federal staff @ \$33.43/hour to develop award
slate and process award documents = \$133.72

2 hours for clerical staff @ \$18.85/hour [equivalent to the pay of a
GS 7/1] to copy and mail applications and awards = \$37.70

Total Copying and Postage Costs:

52 application packages x \$3.00/application package = \$156.00

39 award documents x \$1.00/document = \$39.00

Total Cost = \$4,671.65

Estimated Annualized Federal Cost of Review

Since the applications will cover a two-year project period, the total annualized data burden will be $\$4671.65 / 2 \text{ years} = 2335.85/\text{year}$.

Q15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.

A15. There are no program changes or adjustments as reported in Items 13 or 14 of the OMB Form 83-I. The total annualized burden hours in item 13 of the OMB83 form will remain the same as it was for the previous competition, 380 hours for the 2-year program cycle.

Q16. 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.

A16. There is no plan for publication.

Q17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

A17. The expiration date will be displayed on the application package.

Q18. Explain each exception to the certification statement identified in Item 20, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.

A18. There are no exceptions to the certifications.

B. Collections of Information Employing Statistical Methods

This collection does not employ statistical methods.

Office of Migrant Education

**Comparison of the Prior Law [Improving Americas Schools Act (IASA)] with the Current Law [No Child Left Behind (NCLB)]
Section 1303 (d) & Section 1308 (d)**

IASA	NCLB
SEC. 1303. STATE ALLOCATIONS.	SEC. 1303. STATE ALLOCATIONS.
(d) CONSORTIUM ARRANGEMENTS- (1) IN GENERAL- In the case of a State that receives a grant of \$1,000,000 or less under this section, the Secretary shall consult with the State educational agency to determine whether consortium arrangements with another State or other appropriate entity would result in delivery of services in a more effective and efficient manner.	(d) CONSORTIUM ARRANGEMENTS- (1) IN GENERAL- In the case of a State that receives a grant of \$1,000,000 or less under this section, the Secretary shall consult with the State educational agency to determine whether consortium arrangements with another State or other appropriate entity would result in delivery of services in a more effective and efficient manner.
(2) PROPOSALS- Any State, regardless of the amount of such State's allocation, may submit a consortium arrangement to the Secretary for approval.	(2) PROPOSALS- Any State, regardless of the amount of such State's allocation, may submit a consortium arrangement to the Secretary for approval.
SEC. 1308. COORDINATION OF MIGRANT EDUCATION ACTIVITIES.	SEC. 1308. COORDINATION OF MIGRANT EDUCATION ACTIVITIES.
(d) INCENTIVE GRANTS- (1) IN GENERAL- From the amounts made available to carry out this section, the Secretary shall reserve not more than \$1,500,000 to award, on a competitive basis, grants in the amount of not more than \$250,000 to State educational agencies with consortium agreements under section 1303(d).	(d) INCENTIVE GRANTS- From the amounts made available to carry out this section for any fiscal year, the Secretary may reserve not more than \$3,000,000 to award grants of not more than \$250,000 on a competitive basis to State educational agencies that propose a consortium arrangement with another State or other appropriate entity that the Secretary determines, pursuant to criteria that the Secretary shall establish, will improve the delivery of services to migratory children whose education is interrupted.