

U.S. Department of Education

Migrant HEP Program

*Office of Management and Budget
Clearance Package Supporting Statement
And Data Collection Instrument*

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A. JUSTIFICATION

A1. 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 the information.

The Office of Migrant Education (OME) is collecting information for the High School Equivalency Program (HEP) Annual Performance Report (APR) in compliance with Higher Education Act of 1965, as amended, Title IV, Sec. 418A; 20 U.S.C. 1070d-2 (special programs for students whose families are engaged in migrant and seasonal farmwork) (shown in appendix A), the Government Performance Results Act (GPRA) of 1993, Section 4 (1115) (shown in appendix B), and the Education Department General Administrative Regulations (EDGAR), 34 CFR 75.253. EDGAR states that recipients of multi-year discretionary grants must submit an APR demonstrating that substantial progress has been made towards meeting the approved objectives of the project. In addition, discretionary grantees are required to report on their progress toward meeting the performance measures established for the ED grant program.

Regarding OMB's prior terms of clearance, *"Prior terms remain in effect. Public comments suggest that the instructions for this annual report can be made clearer. In addition to the clarifications provided in response to comments, these clarifications should be made in the instructions themselves, prior to fielding the instrument. Also, since this ICR is meant to replace generic 524B, prior to resubmission and renewal of this ICR, ED will consider discontinuing the 524B. If ED does not discontinue 524B, ED's justification should be clearly explained in the supporting statement,"* the OME collected facilitated feedback from potential respondents on how the instructions could be clearer at the annual meetings. Then, the OME revised the instructions accordingly prior to fielding the instrument. Additionally, the OME has and continues to provide technical assistance to respondents at the annual meetings and through OME hosted webinars.

Although ED continues to use the generic 524B, the OME is requesting to continue the use of a customized APR (with minor revisions) that goes beyond the generic 524B APR to facilitate the collection of more standardized and comprehensive data to inform GPRA indicators, to improve the overall quality of data collected, and to increase the quality of data that can be used to inform policy decisions.

A2. Indicate how, by whom, and for what purpose the information will be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

The OME has and would continue to collect information via the APR submitted by HEP grantees to program office staff and in compliance with GPRA 1993 section 4, sub-section 1115. APRs are submitted once a year and are used to monitor grantee progress. A customized APR that goes beyond the generic 524B APR is requested to continue the facilitated collection of more standardized and comprehensive data used to inform GPRA, improve the overall quality of data collected, and increase the quality of data that has been used for evaluation and to inform policy decisions.

Using the information collected in the APR, the OME has been able to develop decision rules to measure whether or not grantees were making substantial progress from year to year. The grantees that OME decided had not made substantial progress were then required to submit a corrective action plan, which included benchmarks for improving their program performance. As a result of this kind of evaluation, the OME was able to objectively decide to discontinue the funding for grantees who had habitually failed to make substantial progress in accordance with the national performance measures for GED attainment and placement, despite the OME's provision of technical assistance.

A3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

The revised APR form will be collected via an online form accessible only to grantees. This should improve the timeliness of submission, accuracy of data, and reduce cost or burden associated with regular mail or email. It will also reduce the program office's cost associated with data analysis. All information collected in support of the APR will be collected in compliance with grantee evaluation requirements.

A4. 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 duplication of reporting on the HEP APR. Data are reported annually covering the specified reporting period. The information requested on the APR from HEP grantees is not collected or reported elsewhere. It will replace and enhance the data currently collected by the 524-B form.

A5. If the collection of information involves small businesses or other small entities, describe any methods used to minimize burden.

The data collection does not involve small businesses or other small entities.

A6. Describe the consequences to the 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 APR is a requirement of funded HEP projects, as stipulated in GPRA 1993, Section 4. Annual reporting ensures each grantee is:

- implementing project activities as described in their grant proposal and funding agreement;
- reducing waste and inefficiencies through the collection, analysis and use of formative information;
- contributing to desired progress on program indicators.

Less frequent or no annual reporting risks waste, inefficiency and/or lack of progress on desired indicators due to insufficient oversight. In addition, the HEP program's most recent PART rating was "results not demonstrated," and ED would like to use data from the customized APR to improve the quality of the performance data.

A7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

There are no special circumstance that would require the collection to be conducted in a manner inconsistent with OMB guidelines.

A8. 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 comment on the information collection prior to submission to OMB. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those 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 instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

The OME published two Federal Register Notices, a 60-day on June 23, 2010 in volume 75, page 35775 and a 30-day on September 14, 2010 in volume 75, page 55782.

A9. Explain any decision to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

There are no payments or gifts to grantees in support of the data collection.

A10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.

There are no assurances of confidentiality to grantees.

A11. 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.

There are no questions of a sensitive nature on the APR.

A12. Provide an estimate in hours of the burden of the collection of information.

We anticipate a burden of approximately 32 hours per grantee. With 42 grantees, that would be a total of about 1,344 hours. Using a cost estimate of \$40 per hour, the cost burden per grantee would be about \$1,280, or a total for all 42 grantees of about \$53,760.

In 2007, the Office of Migrant Education (OME) consulted with seven potential respondents to arrive at a 40 hour response estimate. Then, in 2009, OME received OMB clearance to reduce burden hours from 40 per respondent to 30 hours per respondent. The decrease in burden hours was due to a change in the HEP Annual Performance Report (APR), which eliminated one requirement and minimized a second requirement (see PRA Change Worksheet – OMB serial # 03379 for more details).

Now, the HEP APR has a new requirement for respondents to submit supporting documentation for the performance measure on GED attainment, which accounts for a two-hour increase in burden. Although this added requirement increases the burden hours from 30 hours per respondent to 32 hours respondent, the cost to the Federal Government and the annual reporting burden are both less than before, especially considering that the number of respondents has decreased from 61 respondents to 42 respondents.

A13. Provide an estimate of the total annual cost burden to the respondents or recordkeepers resulting from the collection of information (do not include the cost of any hour burden shown in items #12 and #14).

There are no additional costs to respondents or record-keepers resulting from the collection other than already reported in A12 and A14, including capital or start-up costs, or operation, maintenance, or purchase of services. In addition, those costs can be paid for with grant funds.

A14. Provide estimates of annualized cost to the Federal government.

The Migrant HEP program office staff will conduct the data collection for the APR. There are currently 42 HEP grantees. Assuming that the response for each grantee takes on average about one hour of

program office staff time to review the performance reports, and that each hour of program office staff time (including overhead) costs the federal government about \$48.35 (grade 13, step 5), the annualized federal cost will be about \$2,030.70.

A15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB 83-I or in items 14 or 15 in the Part I; Information Collection Request form.

The High School Equivalency Program for Migrant Education is estimated to now have 42 respondents, rather than 61, for a reduction of 19. Therefore, there is a burden reduction adjustment of 486 hours, from 1,830 hours to 1,344 hours.

A16. For collections whose results will be published, outline the plans for tabulation and publication.

Findings from aggregated grantee reports, as they pertain to the evaluation questions stated in the APR, will be published for public record and for program and grantee use in better understanding effective service models and strategies. The program office will follow OMB recommended steps (outlined below) to ensure information quality. Following this, the program will engage in peer review by Education Department colleagues as well as experts in the field for any publication of analyses resulting from APRs.

With regard to information quality, OMB (2002) identified the following general guidelines for ensuring information quality¹:

- 1) Soliciting input from a variety of sources and perspectives and
- 2) Subjecting draft materials to a review process as well as the following steps to assure information objectivity and utility:
 - a. Preparing a draft of the document after consulting the necessary parties, including government and non-government sources, as appropriate;
 - b. Determining/assuring accuracy and completeness of data sources;
 - c. Determining the expected uses by the government and public;
 - d. Determining necessary clearance points;
 - e. Determining where the final decision should be made;
 - f. Determining whether peer review would be appropriate and, if necessary, coordinating such review;
 - g. Obtaining clearances; and
 - h. Overcoming delays and, if necessary, presenting the matter to higher authority.

Further, OMB stipulated data integrity as a measure of information quality and recommended adequate hardware, software, and operational support to ensure data is not compromised.

As it pertains to data a) collected from grantees in response to GPRA 1993 requirements and b) made public, either in original form or as documentation supporting other program reports, the program office will follow the recommended steps outlined above, to the extent practicable under circumstances at the time. Further, the program and its grantees have received technical assistance through ED's Data Quality Initiative to ensure data and analyses meet high technical standards and expectations.

A17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.

The OMB number and expiration date will be displayed on the data collection form.

¹ http://www.whitehouse.gov/omb/inforeg/iqg_oct2002.pdf

A18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-I.

There are no exceptions to the certification statement.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Data collection does not employ statistical methods.

Appendix A: Authorizing Legislation

Special programs for students whose families are engaged in migrant and seasonal farmwork

Higher Education Act of 1965, as amended, Title IV, Sec. 418A; 20 U.S.C. 1070d-2

(a) Program authority

The Secretary shall maintain and expand existing secondary and postsecondary high school equivalency program and college assistance migrant program projects located at institutions of higher education or at private nonprofit organizations working in cooperation with institutions of higher education.

(b) Services provided by high school equivalency program

The services authorized by this subpart for the high school equivalency program include—

(1) recruitment services to reach persons—

(A)

(i) who are 16 years of age and over; or

(ii) who are beyond the age of compulsory school attendance in the State in which such persons reside and are not enrolled in school;

(B)

(i) who themselves, or whose parents, have spent a minimum of 75 days during the past 24 months in migrant and seasonal farmwork; or

(ii) who are eligible to participate, or have participated within the preceding 2 years, in programs under part C of title I of the Elementary and Secondary Education Act of 1965 [20 U.S.C. 6391 et seq.] or section 2912 of title 29; and

(C) who lack a high school diploma or its equivalent;

(2) educational services which provide instruction designed to help students obtain a general education diploma which meets the guidelines established by the State in which the project is located for high school equivalency;

(3) supportive services which include the following:

(A) personal, vocational, and academic counseling;

(B) placement services designed to place students in a university, college, or junior college program, or in military service or career positions; and

(C) health services;

(4) information concerning, and assistance in obtaining, available student financial aid;

(5) weekly stipends for high school equivalency program participants;

(6) housing for those enrolled in residential programs;

(7) exposure to cultural events, academic programs, and other educational and cultural activities usually not available to migrant youth; and

(8) other essential supportive services, as needed to ensure the success of eligible students.

(c) Services provided by college assistance migrant program

(1) Services authorized by this subpart for the college assistance migrant program include—

(A) outreach and recruitment services to reach persons who themselves or whose parents have spent a minimum of 75 days during the past 24 months in migrant and seasonal farmwork or who have participated or are eligible to participate, in programs under part C of title I of the Elementary and Secondary Education Act of 1965 [20 U.S.C. 6391 et seq.] (or such part's predecessor authority) or section 2912 of title 29, and who meet the minimum qualifications for attendance at a college or university;

(B) supportive and instructional services which include:

(i) personal, academic, and career counseling as an ongoing part of the program;

(ii) tutoring and academic skill building instruction and assistance;

(iii) assistance with special admissions;

(iv) health services; and

(v) other services as necessary to assist students in completing program requirements;

(C) assistance in obtaining student financial aid which includes, but is not limited to:

- (i) stipends;
- (ii) scholarships;
- (iii) student travel;
- (iv) career oriented work study;
- (v) books and supplies;
- (vi) tuition and fees;
- (vii) room and board; and
- (viii) other assistance necessary to assist students in completing their first year of college;
- (D) housing support for students living in institutional facilities and commuting students;
- (E) exposure to cultural events, academic programs, and other activities not usually available to migrant youth; and
- (F) other support services as necessary to ensure the success of eligible students.

(2) A recipient of a grant to operate a college assistance migrant program under this subpart shall provide followup services for migrant students after such students have completed their first year of college, and shall not use more than 10 percent of such grant for such followup services. Such followup services may include—

- (A) monitoring and reporting the academic progress of students who participated in the project during such student's first year of college and during such student's subsequent years in college; and
- (B) referring such students to on- or off-campus providers of counseling services, academic assistance, or financial aid.

(d) Management plan required

Each project application shall include a management plan which contains assurances that the grant recipient will coordinate the project, to the extent feasible, with other local, State, and Federal programs to maximize the resources available for migrant students, and that staff shall have a demonstrated knowledge and be sensitive to the unique characteristics and needs of the migrant and seasonal farmworker population, and provisions for:

- (1) staff in-service training;
- (2) training and technical assistance;
- (3) staff travel;
- (4) student travel;
- (5) interagency coordination; and
- (6) an evaluation plan.

(e) Five-year grant period; consideration of prior experience

Except under extraordinary circumstances, the Secretary shall award grants for a 5-year period. For the purpose of making grants under this subpart, the Secretary shall consider the prior experience of service delivery under the particular project for which funds are sought by each applicant. Such prior experience shall be awarded the same level of consideration given this factor for applicants for programs in accordance with section 1070a-11 (c)(1) of this title.

(f) Minimum allocations

The Secretary shall not allocate an amount less than—

- (1) \$150,000 for each project under the high school equivalency program, and
- (2) \$150,000 for each project under the college assistance migrant program.

(g) Data collection

The National Center for Education Statistics shall collect postsecondary education data on migrant students.

(h) Authorization of appropriations

- (1) There are authorized to be appropriated for the high school equivalency program \$15,000,000 for fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years.
- (2) There are authorized to be appropriated for the college assistance migrant program \$5,000,000 for fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years.

Appendix B: Government Performance Results Act of 1993

SECTION 4. ANNUAL PERFORMANCE PLANS AND REPORTS.

(a) Budget Contents and Submission to Congress.-Section 1105(a) of title 31, United States Code, is amended by adding at the end thereof the following new paragraph:

"(29) beginning with fiscal year 1999, a Federal Government performance plan for the overall budget as provided for under section 1115."

(b) Performance Plans and Reports.-Chapter 11 of title 31, United States Code, is amended by adding after section 1114 the following new sections:

"Sec. 1115. Performance plans

(a) In carrying out the provisions of section 1105(a)(29), the Director of the Office of Management and Budget shall require each agency to prepare an annual performance plan covering each program activity set forth in the budget of such agency. Such plan shall-

"(1) establish performance goals to define the level of performance to be achieved by a program activity;

"(2) express such goals in an objective, quantifiable, and measurable form unless authorized to be in an alternative form under subsection (b);

"(3) briefly describe the operational processes, skills and technology, and the human, capital, information, or other resources required to meet the performance goals;

"(4) establish performance indicators to be used in measuring or assessing the relevant outputs, service levels, and outcomes of each program activity;

"(5) provide a basis for comparing actual program results with the established performance goals; and

"(6) describe the means to be used to verify and validate measured values.

"(b) If an agency, in consultation with the Director of the Office of Management and Budget, determines that it is not feasible to express the performance goals for a particular program activity in an objective, quantifiable, and measurable form, the Director of the Office of Management and Budget may authorize an alternative form. Such alternative form shall-

"(1) include separate descriptive statements of-

"(A)(i) a minimally effective program, and

"(ii) a successful program, or

"(B) such alternative as authorized by the Director of the Office of Management and Budget, with sufficient precision and in such terms that would allow for an accurate, independent determination of whether the program activity's performance meets the criteria of the description; or

"(2) state why it is infeasible or impractical to express a performance goal in any form for the program activity.

"(c) For the purpose of complying with this section, an agency may aggregate, disaggregate, or consolidate program activities, except that any aggregation or consolidation may not omit or minimize the significance of any program activity constituting a major function or operation for the agency.

"(d) An agency may submit with its annual performance plan an appendix covering any portion of the plan that-

"(1) is specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy; and

"(2) is properly classified pursuant to such Executive order.

"(e) The functions and activities of this section shall be considered to be inherently Governmental functions. The drafting of performance plans under this section shall be performed only by Federal employees.

"(f) For purposes of this section and sections 1116 through 1119, and sections 9703 and 9704 the term-

"(1) 'agency' has the same meaning as such term is defined under section 306(f) of title 5;

"(2) 'outcome measure' means an assessment of the results of a program activity compared to its intended purpose;

"(3) 'output measure' means the tabulation, calculation, or recording of activity or effort and can be expressed in a quantitative or qualitative manner;

"(4) 'performance goal' means a target level of performance expressed as a tangible, measurable objective, against which actual achievement can be compared, including a goal expressed as a quantitative standard, value, or rate;

"(5) 'performance indicator' means a particular value or characteristic used to measure output or outcome;

"(6) 'program activity' means a specific activity or project as listed in the program and financing schedules of the annual budget of the United States Government; and

"(7) 'program evaluation' means an assessment, through objective measurement and systematic analysis, of the manner and extent to which Federal programs achieve intended objectives.

"Sec. 1116. Program performance reports

"(a) No later than March 31, 2000, and no later than March 31 of each year thereafter, the head of each agency shall prepare and submit to the President and the Congress, a report on program performance for the previous fiscal year.

"(b)(1) Each program performance report shall set forth the performance indicators established in the agency performance plan under section 1115, along with the actual program performance achieved compared with the performance goals expressed in the plan for that fiscal year.

"(2) If performance goals are specified in an alternative form under section 1115(b), the results of such program shall be described in relation to such specifications, including whether the performance failed to meet the criteria of a minimally effective or successful program.

"(c) The report for fiscal year 2000 shall include actual results for the preceding fiscal year, the report for fiscal year 2001 shall include actual results for the two preceding fiscal years, and the report for fiscal year 2002 and all subsequent reports shall include actual results for the three preceding fiscal years.

"(d) Each report shall-

"(1) review the success of achieving the performance goals of the fiscal year;

"(2) evaluate the performance plan for the current fiscal year relative to the performance achieved toward the performance goals in the fiscal year covered by the report;

"(3) explain and describe, where a performance goal has not been met (including when a program activity's performance is determined not to have met the criteria of a successful program activity under section 1115(b)(1)(A)(ii) or a corresponding level of achievement if another alternative form is used)-

"(A) why the goal was not met;

"(B) those plans and schedules for achieving the established performance goal; and

"(C) if the performance goal is impractical or infeasible, why that is the case and what action is recommended;

"(4) describe the use and assess the effectiveness in achieving performance goals of any waiver under section 9703 of this title; and

"(5) include the summary findings of those program evaluations completed during the fiscal year covered by the report.

"(e) An agency head may include all program performance information required annually under this section in an annual financial statement required under section 3515 if any such statement is submitted to the Congress no later than March 31 of the applicable fiscal year.

"(f) The functions and activities of this section shall be considered to be inherently Governmental functions. The drafting of program performance reports under this section shall be performed only by Federal employees.

"Sec. 1117. Exemption

"The Director of the Office of Management and Budget may exempt from the requirements of sections 1115 and 1116 of this title and section 306 of title 5, any agency with annual outlays of \$20,000,000 or less."

Appendix C: Data Collection Instrument