

## A. Justification

### **1. 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.**

According to Part B section 5201 of the Elementary and Secondary Education Act, one of the established purposes of the Charter Schools Program at the US Department of Education (ED) is to encourage “States to provide support to charter schools for facilities financing in an amount more nearly commensurate to the amount the States have typically provided for traditional public schools”. To help achieve this purpose, the Charter School Program needs reliable data to understand the current facilities landscape for charter schools. There have been discussions on the struggles of charter schools for equitable and adequate access to facilities and facilities financing, yet there are no official studies, reports, or analyses explicitly discussing the facility landscape of charter schools and the similarities and differences between charter school and traditional public school facilities. The Charter Schools Program proposes to administer a survey conducted by the Colorado League of Charter Schools to gather data on charter schools facilities. This data will help to assess the true facilities challenges of the charter schools and what actions ED and the SEAs must take to better financially support the facilities needs of quality charter schools.

In the summer of 2007, the Colorado League of Charter Schools (the League) launched its Facilities 2010 Task Force, which was established to address charter school facility needs. One of the initiatives of the Facilities 2010 Task Force was to develop a survey that inventoried the facilities landscape in Colorado. The League conducted the survey in Colorado in 2008 and the survey results helped to increase the amount of funds from the state and created additional opportunities to gain leverage for charter school facilities. For example, the Colorado legislature doubled the amount of per pupil funds for charter school facilities after this facilities data was collected.<sup>1</sup> In addition, there was an increase in charter schools in district space, an increase in obligations for school districts to include charters in bond elections, and an inclusion of charter schools as eligible applicants for a state capital construction grant program passed in 2008. These successes are evidence that this survey can incite positive change, increase the involvement of state legislature to mitigate the financial issues of charter schools to obtain equitable facilities, and ensure charter schools receive an amount for facilities that is more commensurate with the amount provided for traditional public schools.

The League customized and administered this survey in Texas, Indiana, and Georgia<sup>2</sup> and ED is looking to use and administer this survey in additional states and compile the data from all states into a facilities database. ED plans to conduct this survey in approximately three to four states per year. This database will provide comprehensive information about the facilities for charter schools and the issues that charter school face in trying to obtain adequate facilities. The League will produce a report and an analysis summarizing the findings per state.

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<sup>1</sup> Unfortunately, this funding was later rescinded due to Colorado revenue shortfalls.

<sup>2</sup> The surveys conducted in Texas, Indiana, and Georgia was completed in 2011 so the impact of those surveys is not yet available.

The attached survey currently represents about 90% of the questions that will be asked to each state. The survey will be customized to include state-specific questions. Once those state-specific questions are developed, ED will seek OMB approval for the additional questions.

**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.**

**How and by whom:**

The US Department of Education's Charter Schools Program contracts with the National Charter School Resource Center (Charter School Center) to provide resources and information to the public and charter school stakeholders in pursuit of the Charter School Program's statutory mission. Through this contract, the Charter School Center will administer the survey, collect the resulting information, and establish the facilities database. The Charter School Center will coordinate the selection of participating states; provide financial, logistical, and training support for charter school organization personnel and charter school personnel involved in collecting the data; and conduct the data analysis resulting in state specific reports. The Charter School Center will also aggregate the resulting data into a database supporting the analysis and the report at the project's conclusion.

The Charter School Center will partner with the Colorado League of Charter Schools (the League) and the National Alliance of Public Charter Schools (the Alliance) to administer this survey. The League has past experience and knowledge of administering the survey and the Alliance has contacts and strong relationships with state charter school organizations that have relationships with charter schools within their states. These relationships will help the Charter School Center streamline communication with the schools they wish to survey and help them ensure as many charter schools as possible participate in the survey.

The Charter School Center will aim to conduct surveys in three to four states per year, beginning in 2012. The school based data gathering will be concentrated during months most practical for school schedules. The survey will be administered to the appropriate staff and collected by the Charter School Center through web-based technology. Participating states would be chosen based on a combination of factors including size of a state's charter sector and capacity and support from the partner charter support organization (CSO). From previous survey collections conducted by the League, it discovered most charter schools are highly motivated and willing to complete the survey, even despite the length of the survey. The charter school community understands the impact and potential benefits of completing the survey. The subsequent analysis and reports will be produced within a few months after the completion of the data collection. The aggregation of data and subsequent report will be produced at the project's conclusion.<sup>3</sup>

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<sup>3</sup> The League conducted an initial assessment of the 100+ Colorado schools that participated in the original survey work (completed in 2008) to determine how frequently the data would need to be updated to ensure the data is still an accurate reflection of the conditions. Based on the results, the League recommends that at least three years needs to elapse before deploying a refresher survey. In addition, the refresher survey will only be given to schools that have substantial facility changes, and these schools will be able to build on their previous information. The refresher information input into the database will help to quickly capture the changes in conditions of facilities. This information will help to assess if the previous data collected has influenced these changes and whether they are positive or negative.

The Charter School Center will hire contractors to provide technical assistance and to collect measurements of the facilities and classrooms. There are several questions with the survey that pertain to measurements of the facilities. These contractors will assist in minimizing the burden for the charter schools completing the survey. The contractors will use a combination of floor plans, blueprints, and electronic measuring devices to capture the square footage of facilities, classrooms, and specialized educational spaces.

A number of benefits come from involving contractors in the measurement process of the charter schools surveyed. The League has discovered --from their previous surveys-- that many charter schools are not in traditional school buildings and many are leasing space with different interior build outs that have occurred over the years, which means blueprints are not always available or accurate. Even when a school has purchased or built a new building, the blueprints are often drawn to the plan, not necessarily to the build. The League will specify to the contractors that when accurate blueprints are available, they can absolutely use them. However, we would recommend that a random set of rooms be checked to verify accuracy.

In addition, another critical benefit to using the contractor is they will conduct schools visits and will therefore have an opportunity to check in with the schools to see if they have any questions about the survey or help them to complete the survey, if needed. The League has obtained higher response rates with the use of contractors. For example, Georgia was the only one of the last three states to use contractors exclusively and had the highest response rate. In states that had a mix of contractors and leaders doing the measuring, there were far fewer follow-up questions and errors in the survey data from the contractors than from the leaders.

The survey may look daunting with over 300 questions. However, due to the skip logic, respondents can skip a large number of questions that do not apply to them and by having the contractors conduct the measurements, the school leader will not have to answer those questions. The school leaders will answer approximately 80 questions, utilizing approximately 1-1.5 hours of the leader's time. In addition, there is great support for the survey, so the length of the survey does not deter schools from responding. The individual schools understand policy decisions made at the state legislative level are driven by data and effective advocacy and policy-making needs data. The League has experienced high response rates. For example, in Georgia, there was a response rate of 94 percent (49 out of 52 charter schools) and 52 percent in Texas (282 out of 542 charter schools). The goal response rate should average around 70 percent, with 100 percent response rate for states with a small amount of charter schools.

**For what purpose:**

The purpose of this study is to create a charter school facilities database that identifies prominent strengths and shortcomings in multiple states' facility landscape. The database will help to aggregate all the information collected to be easily retrieved for the public and interested parties. The information collected can help ED and SEAs understand the financial pressure charter schools have to gain adequate facilities. The League has previously surveyed Texas, Colorado, Indiana, and Georgia, and the information collected will be included in this database. This information will be able provide valid data to permit analysis of the variation in quality of charter school facilities and to enable states to develop policy responses which increase support and funding to charter schools for facilities. With the information collected, a report and policy

analysis will be completed. In addition, this survey will be analyzed to properly identify the challenges and barriers for charter schools to build to finance, or to obtain adequate facilities.

The analysis will compare the charter schools facilities data to regular public school facilities. The results of each state's survey are compared to the most conservative of relevant standards for public school facilities. In addition, the League contracted Paul Hutton<sup>1</sup>, a prominent school architect, to identify applicable standards for our use in each state and for each educational model and facility type. As stated before, this information and analysis can incent positive change and encourage states to develop initiatives which will provide support to charter school facilities.

The League developed a comprehensive survey of charter school facilities to develop a blueprint for changes to both policy and market conditions necessary to achieve adequate and equitable public school facilities for charter schools. According to the reports the League has completed in Texas and Colorado, the policies of all levels (local, state, federal) at the time of these studies have not been updated to support the needs of the thousands of public charter schools operating across the country. This study can provide a broad perspective of charter school facilities, including facility and classroom size, facility financing, future facility plans, facility adequacy, condition and maintainability, and facility amenities. The League gave ED permission to use this survey for additional states.

**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. Also describe any consideration given to using technology to reduce burden.**

A web-based survey system is intended to be used to distribute and collect the surveys. This web-based survey system will highly reduce the recordkeeping and data entry burden, as well as any lag time between completing and receiving surveys. Lastly, this method will reduce the need of any paper surveys, which will be available through a PDF if any respondent needs to print the survey.

The notations entered on the survey regarding the skip logic are embedded in the web-based survey tool, which will allow respondents to skip questions that are inapplicable to them. Of the four states that have participated in this survey protocol to date, no school has ever had to complete every question of the facilities survey. Because each school is not required to fill out every question in the survey, the burden to respondents is reduced.

Having contractors (rather than school leaders/respondents) complete the measurement portion of the data collection efforts will reduce the time and burden for the school leader/respondent and will also increase our confidence in the reliability and validity of the resulting data.

**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.**

There is currently no analysis of the physical conditions and environment of charter school facilities. Also, there is currently not a comprehensive survey to properly assess the current and future efforts of charter schools to improve or maintain their facilities.

ED will compile a list of charters schools within each state from ED Facts to ensure a charter school does not receive the survey more than once. As stated in item 2, contractors will also be used to properly measure each facility and classroom size to avoid duplicate and/or inaccurate measurements.

There is currently a study underway on charter schools under 1855-0023-ED; this study focuses on building a database for charter school authorizer. However, the study being requested will focus on building a database about charter school facilities. This study will be under the OMB 1855-New, so this study is not a duplication of the aforementioned study.

**5. If the collection of information impacts small businesses or other small entities (Item 8b of IC Data Part 2), describe any methods used to minimize burden.**

The surveys will be administered directly to charter schools, which are not considered small businesses or small entities. However, in helping to administer these surveys, the Charter School Center may use the assistance of charter support organizations (CSOs). CSOs vary in size so there may be some CSOs that would be considered small businesses. The Charter School Center will provide financial, logistical, and training support for CSO personnel involved in collecting the data.

In addition, as stated above, contractors will be hired by the state partners for technical assistance and for the collection and data entry of the measurement of the facilities and classrooms. These contractors will lessen a number of potential burdens to charter schools, including time, finances, and labor.

**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.**

As stated above, one of the purposes of the Charter School Program office is to encourage the States to provide support to charter schools for facilities financing in an amount more nearly commensurate to the amount the States have typically provided for traditional public schools. This survey will help the Charter School Program office gain a better perspective of the conditions of charter schools' facilities. The analysis of the survey may help to develop new ideas to meet the purpose. Without information from this survey, the Charter School Program office may be blind to the legislative and financial issues facing charter school facilities.

**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.**

There are no special circumstances that require the information collection to be conducted in any of the manners described above.

- 8. 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.**

The Department published 60-and-30-day federal register notices seeking public comment and received none.

**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.**

As previously mentioned, there is no national database, report, or analysis on the state of charter school facilities. ED has held conversations with several organizations including the Local Initiatives Support Corporation and the Low Income Investment Fund regarding the need for more information about charter school facilities. A few organizations have published reports regarding financing for charter schools, but until the League began its survey work, an inventory of the charter school facilities has never been done.

ED held conference calls with less than 10 members of the League and the National Alliance for Public Charter Schools (Alliance) to discuss the four state surveys they have conducted and understand the impact of the finalized data in comparing charter schools to traditional public schools. In addition, during these calls the League and Alliance informed ED about the process for conducting these surveys and how they were able to ensure the appropriate questions were being asked. To develop the best possible set of data and information about charter school facilities and their need, the League commissioned an experienced charter school architect<sup>4</sup> to help them compile the questions. These questions were then distributed to the League's Facilities 2010 Task Force for additional feedback. A draft survey was then field tested with a small group of charter schools to ensure clarity and comprehensiveness of the items. Based on this information, as well as visits to a number of charter schools, further revisions to the questionnaire were made. The League and Alliance also include state-specific questions based on discussions with state representatives and charter schools within that particular state.

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

No gifts or payments will be made to respondents.

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

No assurance of confidentiality is provided as the information is public

**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.**

No questions in this information collection are of a sensitive nature.

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

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<sup>4</sup> Paul Hutton is the founder of Hutton Architecture Studio and has had a 32-year career in architecture. Paul has been a practicing architect in Colorado since 1980, is a LEED® Accredited Professional, and has been a member of the American Solar Energy Society since 1986. He attended Princeton University, and has graduate degrees in both Architecture and Environmental Planning from the University of Virginia. He is a frequent presenter at national conferences, and has extensive experience in the standards and design of educational facilities.

- **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 16 of IC Data Part 1.**
  
- **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.**

This survey will take 3 hours to complete, with an estimated 369 number of respondents, totaling 1107 annual burden. It costs at maximum \$46 per hour for each respondent, and the cost for each survey equals \$138 with 3 hours to complete. The total cost for the year will be \$50,922 with an estimated 369 respondents. This amount may vary in the following years of this survey due to the varying numbers of charter schools in each state. Lastly, all the answers to the questions are used to assess each charter school’s facility.

This information request covers one form.

Number of respondents (estimated)	369 (based on an average of 123 charter schools per state)
Frequency of response	once
Annual hour burden	3 hours on average. This time is often split between two or three individuals—often the principal, the business manager, and/or the principal’s assistant.
How was this burden estimated?	In speaking with state level contractors from the League’s recent round of surveys, the League estimated that the average school spends three hours completing the survey.
Annual cost to respondents	\$46 (at most) per hour \$138 per respondent, on average \$50,922 (estimated) across all respondents annually

**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.**

There is no capital, start-up, or maintenance cost to respondents.

**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.**

This contract was awarded and costs are shown in the below table.

<b>LABOR &amp; FRINGE</b>	
Direct Labor	\$ 142,293
Fringe Benefits	\$ 40,681
<b>TOTAL LABOR &amp; FRINGE</b>	<b>\$ 182,974</b>
<b>OTHER DIRECT COSTS</b>	
Consultants & Other Prof Services	\$ 244,722
Employee Travel	\$ 18,700
Printing and Duplication	\$ 800
Shipping and Postage	\$ 75
Communications	
Operating Supplies	\$ 1,400
Other:	\$ -
<b>TOTAL OTHER DIRECT COSTS</b>	<b>\$ 265,697</b>
<b>TOTAL DIRECT COSTS</b>	<b>\$ 448,671</b>
Indirect Costs	\$ 49,354
<b>TOTAL COSTS</b>	<b>\$ 498,025</b>
Base Fee	\$ 39,842
<b>TOTAL COST PLUS BASE FEE</b>	<b>\$ 537,867</b>

Aggregate cost estimate from Items 12 and 14	
12. Cost to respondents, year 1	\$50,922
14. Total annual cost burden, year 1	\$537,867

**15. Explain the reasons for any program changes or adjustments to #16f of the IC Data Part 1 Form.**

This is a new program, so there are no changes or adjustments.

**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.**

Once completed, the analysis and database will be published on the National Charter School Resource Center website <http://www.charterschoolcenter.org/>. No complex analytical techniques will be used, but descriptive statistics or frequencies may be used to populate the reports generated based on various criteria.

<b>Year 1 Schedule</b>
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<b>Task</b>	<b>Completion date</b>
Survey development and submission to OMB	October 2011
Survey administration	January- February 2012
Data Collection and Report	April 2012
Analysis Completion	May 2012
Database Completion	June 2012

**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.**

The expiration date will be displayed on the information collection.

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

There is no exception to the certifications.