

## **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.**

The Charter School Program needs reliable data to understand the current facilities landscape for charter schools. The Charter Schools Program, through the National Charter School Resource Center, administers a questionnaire conducted by the Colorado League of Charter Schools to gather data on charter schools facilities. This data helps 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.

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. CSOs in participating states have reported that the survey results have provided the charter school facilities discussion in their states credibility regarding the problems facing charter schools and have resulted in legislative and other gains in their state towards charter school facility equity. CSOs have also reported that the results allow them to continue to push the facilities discussion forward for future changes. Some example of results include, in New Jersey after the results were published the state announced \$125 million dollars in Qualified School Construction Bonds to support construction, expansion or enhancement of charter schools, the South Carolina CSO reports that the Charter Facility Tax Bill passed during the 2013-2014 legislative session is a direct result of the South Carolina survey results, in Idaho the CSO reported "The facilities report helped charter schools in Idaho, for the very first time, get some facility dollars from the state, about \$120 per student in 2013-14 and \$180 in 2014-15", the Massachusetts Development Finance Agency was awarded \$2,671,388 by the US DOE to help charter schools to issue guarantees on behalf of charter schools to guarantee a portion of a loan or bond made to a charter school to improve its school facility, and in Texas the data has been used to support school finance litigation.

ED would like to continue 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, depending on the size of the state and local resources of the CSO to support the survey. 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.

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.

### **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 subcontract with the Colorado League of Charters Schools that will administer the survey, collect the resulting information, and establish the facilities database. The League 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 League 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 school based data gathering is concentrated during months most practical for school schedules. The survey will be administered to the appropriate staff and collected through web-based technology. Participating states will continue to 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>1</sup>

Contractors are hired 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.

---

<sup>1</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.

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. In early 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 varied total participation rates, from 36% to 100%, with only one state registering less than 50% participation. We have found that the response rate varies for a number of reasons, including typical membership response to CSO sponsored surveys, CSO relationship to members and percent of membership of the charter schools in the state organization. We have not received any response from schools that participation in the survey has been affected by the length of the survey.

**For what purpose:**

The purpose of this study is to provide data for the charter school facilities database that identifies prominent strengths and shortcomings in multiple states' facility landscape. The database helps to aggregate all the information collected to be easily retrieved for the public and interested parties. The information collected helps ED and SEAs understand the financial pressure charter schools have to gain adequate facilities. This information provides 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 is completed for each state. In addition, this survey is analyzed to properly identify the challenges and barriers for charter schools to build to finance, or to obtain adequate facilities.

The analysis compares the charter schools facilities data related to measurement to traditional public school facilities. The results of each state's survey are compared to the most conservative of relevant construction 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.

**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 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. No school has ever had to complete every question of the facilities survey, thus the burden to respondents is reduced.

Having contractors (rather than school leaders/respondents) complete the measurement portion of the data collection efforts reduces the time and burden for the school leader/respondent and 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. To our knowledge, this is the only comprehensive survey to properly assess the current and future efforts of charter schools to improve or maintain their facilities.

The League receives from the CSO a list of all charter schools in the state, along with their school code and physical location. To date, there not have been any reports of schools receiving 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.

**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. Financial, logistical, and training support is provided 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. Data collection on a yearly basis allows for the Charter School Program office to collect more data and for more states to participate in the project. The landscape on a state and national basis for charter schools changes frequently and collecting data less frequently would have an adverse effect on the ability to substantively impact state level charter school facilities discussion.

**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 no public comments during the 60-day comment period.

**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 had never been done.

ED has held conference calls with members of the League and the National Alliance for Public Charter Schools (Alliance) to discuss the state surveys and understand the impact of the finalized data in comparing charter schools to traditional public schools. In addition, 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>2</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

---

<sup>2</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.

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.**

There are no assurances of confidentiality; respondents are informed that identifying school information will not be published without prior consent of the school. When specifically requested by a school, all identifying information about the school (including school number) is removed if data is shared with a third party.

**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:**

- **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.**

Based on previous efforts, we have determined the survey takes a respondent approximately one to one and one-half hours to complete. Further information is included below. 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)	200 (based on an average of 100 charter schools per state)
Frequency of response	once
Annual hour burden/Annual burden	1-1½ hours, an annual burden total of 300 hours. 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?	Based on conversations with respondents and state level contractors regarding the time it takes for respondents to complete the survey.
Annual cost to respondents	\$50 (at most) per hour for each respondent. \$15,000 (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.

<b>Facilities Questionnaire</b>		
	<b>Hours</b>	<b>Amount</b>
<b>Direct Labor</b>		
<b>Total Labor</b>	<b>3400</b>	<b>\$ 143,400.00</b>
<b>Fringe Benefits @40%</b>		<b>\$ 57,360.00</b>
<b>Total Direct Labor (LB+BN+OV)</b>		<b>\$ 200,760.00</b>
<b>Other Direct Costs</b>		
<b>Subcontracts</b>		<b>\$ 25,000.00</b>
<b>Consultants</b>		<b>\$ 25,000.00</b>
<b>Airfare</b>		<b>\$ 5,000.00</b>
<b>Hotel</b>		<b>\$ 5,000.00</b>
<b>Transportation</b>		<b>\$ 2,000.00</b>
<b>Per Diem</b>		<b>\$ 3,000.00</b>
<b>Communications</b>		<b>\$ 5,000.00</b>
<b>Printing</b>		<b>\$ 15,000.00</b>
<b>Materials</b>		<b>\$ 15,000.00</b>
<b>Total ODC</b>		<b>\$ 100,000.00</b>
<b>G&amp;A @ 12.4 %</b>		<b>\$ 37,294.24</b>
<b>TOTAL</b>		<b>\$ 338,054.24</b>

Aggregate cost estimate from Items 12 and 14	
12. Cost to respondents, year 1	\$15,000
14. Total annual cost burden, year 1	\$338,054.24

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

When the survey was first created there was a larger pool of states to choose from to complete the survey; currently the pool is smaller so there will be fewer respondents; there is an adjustment decrease of -807 annual burden hours and -169 responses. Minor revisions to the form were made based on discussions during a field test of the survey; the total number of hours is 300 annual hours and 200 responses.

**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/> and the Charter School Facilities Initiative website <http://www.facilitiesinitiative.org>. State CSOs may also publish their respective state reports on their websites. 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>Proposed Schedule</b>	
<b>Task</b>	<b>Completion date</b>
Review current survey for any changes and submission to OMB	July 2019
Survey administration	September- February 2018 <sup>1</sup> (survey administration will not take the entire length, but will be window during this time frame)
Data Collection and Analysis	January- August 2018 (will be conducted during a window in this time frame)
Report Completion	September 2018

**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.