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# PAPERWORK REDUCTION ACT SUBMISSION

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## **Mandatory Civil Rights Data Collection**

**July 2020**

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### SUPPORTING STATEMENT, PART B: COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

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*Revised after 60-day public comment period.*

Responses to, and changes made as a result of comments received during the 60-day public comment period are primarily addressed and reflected in Attachment B. In Supporting Statement B, changes were made as a result of comments received during the 60-day public comment period.

Due to the impact the Coronavirus (COVID-19) pandemic has had on SEAs, LEAs, and schools, ED has decided to shift the 2019–20 CRDC to the 2020–21 school year. Therefore, all comments received for the 2019–20 CRDC, and ED’s responses to those comments will now apply to the 2020–21 CRDC. In addition, throughout this document, original references to the 2019–20 CRDC and the 2019–20 school year have been changed to the 2020–21 CRDC and the 2020–21 school year.

- 1. Describe the potential respondent universe (including a numerical estimate) and any sampling or other respondent selection method to be used. Data on the number of entities (e.g., establishments, state and local government units, households, or persons) in the universe covered by the collection and in the corresponding sample are to be provided in tabular form for the universe as a whole and for each of the strata in the proposed sample. Indicate expected response rates for the proposed sample. Indicate expected response rates for the collection as a whole. If the collection had been conducted previously, include the actual response rate achieved during the last collection.**

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The 2020–21 Civil Rights Data Collection (CRDC) will be a universe of public schools and school districts. Therefore, none of the sampling procedures (i.e., stratification, estimation, etc.) are proposed to be used in the 2020–21 CRDC administration.

### Respondent Universe

The respondent universe of the 2020–21 CRDC will be the most recently available data from the Common Core of Data (CCD) *National Public Education Survey of Local Educational Agencies (LEA)*. The CCD is designed to be the Department of Education’s (ED) comprehensive statistical database of all public schools and school districts. Most of the data are obtained from administrative reports maintained by state educational agencies (SEA). The CCD survey is collected annually by the National Center for Education Statistics (NCES). The frame for the CCD survey includes LEAs and regular, non-regular (special education, alternative, career, or technical), and public charter schools.

For the CRDC and the CCD, an eligible school is defined as an organization authorized by public authority and financed primarily through public funds to provide public education to students. Under this definition, schools:

- Are operated by a public school district, independent charter district or state agency on behalf of the state,
- Provides instruction for students,
- Have, will have or had one or more students,
- Have, will have or had one or more teachers,
- Have an assigned administrator(s) (principal) responsible to public authority, and
- Receive public funds as its primary support.

### Frame Additions and Deletions

While the CRDC definition of a school matches that used by the CCD, there are a few operational differences. In some instances, schools in the CCD are essentially administrative units that may oversee entities that provide classroom instruction, or the school in the CCD may provide funding or oversight only. The CRDC is primarily designed to collect data from public school districts about educational entities where students receive educational services for at least 50 percent of the school day, regardless of whether students are reported elsewhere for funding, accountability, or other reporting purposes. To be eligible to participate in the CRDC, schools must serve students at the site for at least 50 percent of the school day. Since the CCD and CRDC differ slightly in scope, some records are deleted, added or modified in order to provide better coverage and a more efficient frame for the CRDC. The following types of school records are deleted from the CCD during the creation of the sampling frame:

- District boundary type 2: Agency has closed with no effect on another agency’s boundaries

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- School status 2: School has closed since the time of the last report
- Nonoperational school districts: School districts that do not operate a school
- Schools and school districts with a Federal Information Processing Standards (FIPS) state code of 58 (overseas DoD), 60 (American Samoa), 66 (Guam), 69 (Northern Marianas), 78 (U.S. Virgin Islands), or 59 (Bureau of Indian Education).

Districts with no membership or missing membership at the district-level are generally excluded, except in some special cases, such as where membership data were available for the associated schools.

Additionally, OCR augments the CRDC frame with justice facilities, which may not be under the purview of the SEA or an LEA. In collaboration with the Department of Justice Office for Juvenile Justice and Delinquency Prevention (OJJDP), OCR adds justice facilities which may not have been otherwise included in the CCD to ensure coverage of all youth in pre- or post-adjudication facilities that receive educational services. Also, state-operated programs for special populations of students (such as schools for the deaf and schools for the blind) are added to the universe, if they are not already included in the CCD list.

### Response Rate

The CRDC has a traditionally high response rate due to the mandatory nature of the data collection. The typical response rate is between 98 and 100 percent. For the 2009–10 CRDC, 100 percent of all participating school districts provided data. This represented 48 percent of all school districts serving students in 2009–10. For the 2011–12 CRDC, 98 percent of all participating school districts, and 99 percent of all schools provided data. For the 2013–14 CRDC, 2015–16 CRDC, and 2017–18 CRDC, 99 percent of all participating school districts, and 99 percent of all schools provided data. The anticipated response rate for the 2020–21 CRDC is expected to be no less than 98 percent of all participating school districts.

## **2. Describe the procedures for the collection of information, including:**

- **Statistical methodology for stratification and sample selection**
- **Unusual problems requiring specialized sampling procedures**
- **Estimation procedure**

The 2020–21 CRDC will include a universe of all public schools and school districts. Therefore, none of the sampling procedures (i.e., stratification, estimation, etc.) are proposed to be used in the 2020–21 CRDC administration.

### Procedures for the Collection of Information:

*Verification and updates of school lists by selected LEAs: Summer 2021 - Fall 2021*

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Once selected for the CRDC, school districts are notified by mail of their required participation in the collection and asked to verify and update their listing of schools and provide a primary point of contact for the survey. Links to survey questionnaires and supporting documents are also included in the initial mailing to school districts. A Web-based system is available to school districts to provide contact information for a principal point of contact. School districts may also verify their school list, add new schools that opened at the beginning of the 2020–21 school year, collapse schools that have merged, or remove schools that have closed. In past surveys, OCR has encountered discrepancies between the definitions of a school as held by the school district themselves and as reported by state departments of education to the CCD. This issue occurs most often in rural areas or in schools that offer grades K-12 in one building with one head principal. The schools often consider themselves one cohesive unit while the state does not. For accounting or other administrative purposes, the state may artificially split these schools by grade level and report them as two or three separate schools. For the purpose of CRDC, the K-12 school with one principal can be collapsed into one reporting entity and report all students enrolled in grades K-12.

Follow-up for non-responding school districts begins approximately three weeks after the initial mailing. Telephone follow-up and reminder letters will be sent to school districts that do not provide a principal point of contact or verify their school list.

#### *Data collection by selected LEAs: Fall 2020 - Summer 2021*

After identifying a principal point of contact and a verified list of participating schools, OCR provides frequent training opportunities for school districts to understand the data elements collected on the CRDC and the survey submission process. Webinars, frequently asked questions, short tip sheets, and other resources are available on the CRDC Resource Center website (<http://crdc.grads360.org>). A support center is also available to school districts to call or email questions regarding the content of the data to be collected. During this time, training on preparing files for submission occurs. OCR provides pre-collection tools for school districts to gather and prepare flat files of the required data to prepare for the survey submission opening.

#### *Survey Submission Window: Fall 2021 - Winter 2022*

The survey submission window opens with email notification to all participating school districts. School districts are typically given a minimum of 75 days to submit their data to OCR. In anticipation of the survey submission system opening, OCR and its contractors provide webinar training on using the survey submission website beginning two weeks prior to opening and continuing three weeks after the opening of the survey submission system. These trainings are also posted on the CRDC Resource Center website for school districts to access at any point during the data collection cycle. During the survey submission period, frequent communication occurs with participating school districts to offer technical assistance and, as the survey due date approaches, reminders are sent to school districts that have not yet certified their CRDC submission.

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- **Degree of accuracy needed for the purpose described in the justification.**

#### Accuracy

The CRDC is intended to collect information about educational equity and excellence in public elementary and secondary education. Although respondents are experts in the educational opportunities and participation in their school districts, there are opportunities for potential error, either through technical mishap or misinterpretation of the intent of a survey item. Over the course of several CRDC administrations, OCR has developed and continues to develop a series of checks designed to flag these errors for review by the respondent and OCR. These edits rely on internal logic checks, consistency within specific tolerances, and comparisons to similar data collected by other program offices within ED.

#### Imputations

Because the CRDC is a mandatory collection, respondents are required to provide data for each applicable item. (See Attachment A-4 for more details about how directional indicators are used to determine item applicability.) In rare cases, a school district may not be able to respond with complete and accurate data to a specified item. When there is item nonresponse, the item may be imputed for the 2020–21 CRDC reporting of state and national totals.

- **Any use of periodic (less frequent than annual) data collection cycles to reduce burden.**

The Department has historically conducted this survey biennially to reduce burden.

- 3. Describe methods to maximize response and to deal with issues of non-response. The accuracy and reliability of information collected must be shown to be adequate for intended uses. For collections based on sampling, a special justification must be provided for any collection that will not yield “reliable” data that can be generalized to the universe studied.**

Historically, the civil rights survey has had a very high response rate. In 2000, the predecessor Elementary and Secondary School Civil Rights Compliance Report (E&S Survey) was sent to a universe of all school districts and schools in the United States. The overall response rates were 97 percent of all school districts and 99 percent of all schools. The overall response rates for the 2002 E&S Survey were 98 percent for school districts and 98 percent for schools. For the 2004 CRDC, the response rates, including partial respondents to the data collection, were approximately 97 percent of all districts, and 97 percent of all schools. The 2006 CRDC achieved an unprecedented 100 percent response rate for school districts and a 99.6 percent response rate for schools. The 2009–10 CRDC achieved a response rate of 100 percent of school districts, and 100 percent of schools. The 2011–12 CRDC achieved a response rate of 98 percent of school districts and 99 percent of schools. The overall response rates for the 2013–14 CRDC,

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2015–16 CRDC, and 2017–18 CRDC were 99 percent for school districts and 99 percent for schools.

#### Methods to maximize response rates

Frequent communications occur with participating school districts over the course of the data collection to ensure compliance with this statutorily mandated collection. School districts are notified by standard mail of their obligation to report. In addition, frequent email correspondence occurs with the school district’s primary point of contact regarding technical assistance available to support the school districts submitting the required data, reminders of upcoming deadlines, and notifications if the CRDC was not submitted by the due date. If school districts fail to respond in a timely manner, the contractor for the data collection, with assistance from OCR and its field offices as necessary, provides extensive outreach and assistance to the greatest extent possible until the districts respond, or the final deadline for accepting data has passed. The superintendents of non-responding school districts are also contacted by phone, email, and standard mail. This has proven to be very successful in past years.

#### **4. Describe any tests of procedures or methods to be undertaken. Testing is encouraged as an effective means of refining collections of information to minimize burden and improve utility. Tests must be approved if they call for answers to identical questions from 10 or more respondents. A proposed test or set of tests may be submitted for approval separately or in combination with the main collection of information.**

OCR plans to test the data collection procedures and data items described in this submission in a number of ways. Many of the data elements requested have already been collected in the previous 2011–12 CRDC, 2013–14 CRDC, 2015–16 CRDC, and 2017–18 CRDC. However, data quality is an overriding concern that OCR continues to assess and evaluate. OCR and NCES are assessing relevant data from CRDC survey years to evaluate the internal and external consistency and reliability of the reported data to continuously improve the business rules and edit checks used in the survey submission system. Edit checks currently help to identify potential problems and provide opportunities for school districts to correct possible mistakes before certifying the accuracy of their submission.

To support continued improvement of data quality in school districts and ensure the procedures for the survey are designed to minimize the burden on sampled schools and districts, OCR and NCES partnered in the development of an enhanced survey submission system for CRDC. The enhanced survey submission system was first implemented for the 2013–14 CRDC. The redesigned submission system builds on improvements made in the 2009–10 and 2011–12 collections that enhanced the ability of school districts to provide partial flat files and improved data accuracy. For the 2020–21 CRDC, OCR and NCES plan to test and pilot the survey submission system in a number of ways.

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### Content.

The proposed data elements include: 1) items required for both the 2017–18 CRDC and 2020–21 CRDC; 2) items optional for the 2017–18 CRDC, but required for the 2020–21 CRDC; and 3) new required and optional items for the 2020–21 CRDC. Similar to what ED did for the 2013–14 CRDC, for the 2020–21 CRDC, ED may conduct recordkeeping visits with school districts to determine whether and how they presently collect data for the CRDC data groups. If conducted, then ED would select sites that reflect a diverse set of districts in terms of size, urban/city, level of sophistication of SEA and LEA data systems, and programs offered. These visits may gather information on ways in which the survey submission tool may assist in improving data quality through edit checks and other analytical procedures. Additionally, ED is exploring the possibility of conducting up to 20 one-on-one cognitive interviews with SEA, LEA, and/or school respondents to validate proposed item wording, dependent on available staff and funding resources. These interviews may be conducted by phone and in person, as appropriate.

### Survey Tool.

OCR and NCES developed an enhanced survey submission tool that was first implemented for the 2013–14 CRDC. Testing plans for the 2020–21 CRDC tool closely mirror previous CRDC protocols. For the 2020–21 CRDC, ED will invite a few school district representatives and SEA representatives that plan to pre-populate data elements for LEAs to participate in some initial discussions with the contractor about various features of the tool. If funding is available, then ED will pilot test the online survey tool for data submission with LEAs and SEAs. Pilot participants will likely have access to the survey software for a period of no less than 10 business days.

ED will work with its selected contractor to compile LEA and SEA suggestions, categorized by level of criticality and feasibility. Based on these results, ED will identify changes, such as text refinements, and any critical technical issues for correction and resolution prior to the opening of the 2020–21 CRDC survey tool for all participating LEAs.

### **5. Provide the name and telephone number of individuals consulted on statistical aspects of the design and the name of the agency unit, contractor(s), grantee(s), or other persons who will actually collect and/or analyze the information for the agency.**

OCR has consulted with NCES regarding the preliminary plans for a sample for the 2020–21 CRDC. However, OCR intends the 2020–21 collection to be a universe of public schools and school districts. If budget constraints are such that a universe collection for the 2020–21 CRDC is not possible, then OCR will work closely with NCES to finalize the sample selection plan and submit it to OMB for review and approval.