

January 2, 2015

Office of Information and Regulatory Affairs
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Attention: Desk Officer for U.S. Department of Education
Re: OMB collection 1840-0744

To Whom It May Concern,

On behalf of the undersigned associations, we write to offer comment on the Office of Management and Budget's (OMB) Information Collection Request (ICR) for OMB collection 1840-0744.

As the representatives of the programs and institutions most directly impacted by the proposed regulations, we wish to express our serious concerns with the estimates of burden prepared by OMB within the notice of proposed rulemaking regarding teacher preparation, as published in the Federal Register on December 3, 2014 (79 FR 71819).

Our comments are not meant to address whether or not it is an appropriate federal role to mandate state assessments of teacher preparation programs, or the means these proposed regulations would use to do so. Our specific concern in these comments is that the estimates prepared regarding the likely burden are unrealistically low. OMB estimates that the total "cost of these regulations would be between \$42.0 million and \$42.1 million over ten years." This is far below the probable cost.

We appreciate that OMB is dependent on estimates provided by the Department of Education (ED) to produce their analyses, and that often results in unrealistically low estimates of burden. There are numerous examples of this throughout the regulations, but we'll highlight four examples in particular:

- The regulations would require that each teacher preparation program either have specialized accreditation or meet certain pedagogical, entry and exit standards. ED estimates it will take the states two hours per program to assure the requirement is met. However, there are over 11,000 existing programs that do not have specialized accreditation and as a result, would require specialized evaluation either by the state or an accrediting agency. To assume states would be able to perform this function for thousands of programs at no more than two hours per program is unreasonably

optimistic. Similarly, there is no associated cost burden for institutions which would be required to have any program not previously accredited undergo the accreditation process, or comply with (as yet undefined) state standards. Such a process would necessarily add substantial cost to an institution. We would be happy to supply additional, detailed information as to the complexity and cost of pursuing specialized accreditation to better inform these estimates.

- ED proposes that the burden to convert campus recordkeeping systems to comply with the new Institutional Report Card reporting requirements will only take four hours total per institution. Such an estimate grossly underestimates the complexity of campus information technology systems and the difficulties inherent in adapting them to new requirements.
- The proposed regulations mandate costly “customer satisfaction” surveys of graduates and employers without adequately contemplating their costs. The Department needs to look no farther than its own difficulties in reaching student-loan borrowers to realize that locating former students, to say nothing of their employers, is not easy or inexpensive.
- While the proposed regulations allow for the exclusion from tracking of students who move out of state, it is not clear how students’ out-of-state residency would be ascertained, since there are no existing data systems that track that important attribute. Building such systems is neither an inexpensive nor a trivial task, and alternative methods of determining out-of-state residency and eligibility for exclusion would inevitably be very expensive.

Because, as the examples above demonstrate, the estimates prepared by ED consistently and obviously under-represent commonsense indicators as to their true cost, we believe OMB should use a third party to verify the validity of the estimates prepared for the proposed regulations.

The result of these artificially low estimates is a striking disconnect between previous expenditures in this area, and the cost estimates contained in the proposed regulations. As noted in the NPRM, “(t)hrough the Statewide Longitudinal Data Systems (SLDS) program, the Department has awarded \$575.7 million in grants to support data systems that, among other things, allow States to link student achievement data to individual teachers and to postsecondary education systems.” The first of these grants were issued in 2005, and represent only the federal funding used to support the efforts undertaken by the states and territories.

Despite this substantial allocation of resources, only “nine States currently link K-12 teacher data including data on both teacher/administrator evaluations and teacher preparation programs to K-12 student data.” Even including all the states and territories that are developing (or even *plan* to develop) similar linkages still leaves twenty-five states and territories that do not have, and have no plans to develop, data systems capable of linking student performance to their educators’ postsecondary preparation program.

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Considering the size and scope of the regulations proposed, the limited extent to which systems capable of meeting the new requirements currently exist, and the existing data on the substantial costs to develop these systems, the estimate provided in the NPRM grossly underestimates the actual burden these regulations would impose.

Our organizations will submit detailed comments concerning the substance of the proposed regulation, and we welcome a public discussion on this matter. That discussion needs to be informed by accurate information on the cost of implementing the regulation. It is abundantly clear that the estimate contained in this NPRM is grossly inaccurate. We would request that OMB undertake a serious effort to re-examine this estimate and revise it accordingly.

Sincerely,



Molly Corbett Broad
President

MCB/ldw

On behalf of:

Adventist Association of Colleges and Universities
American Association of Colleges for Teacher Education
American Association of Community Colleges
American Association of State Colleges and Universities
American College Personnel Association
American Council on Education
American Indian Higher Education Consortium
APPA, Leadership in Educational Facilities
Association for Biblical Higher Education
Association of Advanced Rabbinical & Talmudic Schools
Association of American Universities
Association of Catholic Colleges and Universities
Association of Jesuit Colleges and Universities
Association of Public and Land-grant Universities
Council for Christian Colleges & Universities
Council of Independent Colleges
EDUCAUSE
Hispanic Association of Colleges and Universities
National Association for Equal Opportunity in Higher Education

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National Association of Independent Colleges and Universities
National Association of Student Financial Aid Administrators
New American Colleges and Universities
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