

**SCHOOL BREAKFAST PROGRAM 7 CFR PART 220**

**OMB CLEARANCE NUMBER 0584-0012**

**Gus Okonkwo, Program Analyst**

**Food and Nutrition Service, USDA**

**Child Nutrition Division**

**Program Analysis and Monitoring Branch**

**Special Nutrition Program**

**3101 Park Center Drive**

**Alexandria, VA 22302**

**PH: 703-305-1627**

**[Gus.Okonkwo@fns.usda.gov](mailto:Gus.Okonkwo@fns.usda.gov)**

**1. Circumstances making the collection of information necessary.**

Section 4 of the Child Nutrition Act (CNA) of 1966 (42 U.S.C. 1772) authorizes the School Breakfast Program. The School Breakfast Program is a nutrition assistance program whose benefit is a breakfast meeting nutritional requirements prescribed by the Department in accordance with Section 4(e) of the CNA. That provision requires that “Breakfast served by schools participating in the school breakfast program under this section shall consist of a combination of foods and shall meet minimum nutritional requirements prescribed by the Secretary on the basis of tested nutritional research.” Children may receive breakfast free or at a reduced price under the same eligibility criteria requirements for free or reduced price lunches in Section 9 of the National School Lunch Act (P.L. 110-161) as amended and 7 CFR Part 245, Determining Eligibility for Free and Reduced-price Meals and Free Milk in Schools (OMB No. 0584-0026, Expiration 1/31/2010). Part 245 requires schools operation the SBP to determine children’s eligibility size and establish operation procedures that will prevent the identification of needy children.

**2. Purpose and use of the information.**

The information being requested is required to administer and operate the program in accordance with the CNA. The program is administered at the state and school food authority levels, and the operations include the submission and approval of applications, execution of agreements, submission of claims, payment of claims, monitoring and providing technical assistance. This data is collected under Report of School Program Operations, FNS-10 (OMB No. 0584-0002, Expiration Date: 5/31/2009).

States, SFAs, and schools under this Act are required to keep accounts and records as may be necessary to enable the FNS to determine whether the program is in compliance with this Act and the regulations. (For additional reporting and recordkeeping requirements see: Estimates of the Information Collection Burden.)

**3. Use of information technology, and reduce burden.**

FNS is committed to complying with the E-Government Act, 2002 to promote the use of the Internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes.

To the extent possible, agencies within the State use electronics to transfer information for SFAs, where applicable FNS-10, Report of School Program Operations, is a fillable and file-able form which currently resides on the Food Program Reporting System (FPRS) <https://fprs.fns.usda.gov/> , and is available to State agencies. FNS has automated SF-269, Financial Status Report (OMB 0584-0067, Expiration Date: 12/31/2011). This burden currently reside in the Special Nutrition Program Integrated Information System (SNPIIS) <https://fprs.fns.usda.gov/>. In FY 2008, 100% of the total respondents in this submission reported electronically to FNS' electronic reporting systems

**4. Efforts to identify duplication and use of similar information.**

There is no similar information data collection available.

**5. Impact on small business or other small entities.**

Information being requested or required has been held to the minimum required for the intended use.

**6. Consequence of collecting the information less frequently.**

The information is collected for the purpose of administering an ongoing program. Applications can be accepted and agreements executed at any time, although SFAs generally execute agreements at or shortly before the beginning of each school year. SFAs submit claims for reimbursement for every month they operate the SBP because funds for the SBP are budgeted on a fiscal year basis, a collection period greater than one year would not allow FNS to deliver and monitor program funds or provide benefits timely.

**7. Special circumstance relating to guidelines in 5 CFR 1320.6.**

Monthly reporting is used instead of quarterly; therefore, this is inconsistent with the requirement of 5 CFR 1320.6. Monthly reporting is necessary for SFAs to receive reimbursement for breakfasts served and to ensure program accountability.

There are no other special circumstances. The collection of information is conducted in a manner consistent with the guidelines in 5 CFR 1320.5

**8. Comments in response to the Federal Register Notice and efforts to consult outside agency.**

As required by 5 CFR 1320.8(d), the notice, 7CFR part 220, School Breakfast Program, was published in the Federal Register at page 53188 on September 15, 2008. The comment period for the information collection ended November 14, 2008. No comments were received in response to the agency's notice.

FNS consults with Regional Offices regarding any proposed changes as the result of legislative, regulatory or administrative changes. Regional offices are in constant contact with State agencies which provides feed back on FNS processes and procedures for this information collection.

**9. Explanation of any payment or gift to respondents.**

No payment or gift was provided to respondents.

**10. Assurance of confidentiality provided to respondents.**

The Department will comply with the Privacy Act of 1974.

**11. Justification for sensitive questions.**

There are no questions of a sensitive nature included in this clearance package.

**12. Provide estimates of the hour burden including annualized hourly cost.**

One Hundred thousand three hundred and thirty-nine respondents administer or operate the SBP at the State or local level which includes:

57 SAs

18,765 SFAs

81,517 Schools

100,339 Total Respondents

**A.12.1 Reporting:** - The number of burden hours in inventory is 149,987. This submission added 98,194 burden hours the new burden for reporting is 248,132 due to the increase of program participation in school food authorities and schools. (See Attachment I)

**A.12.2 Recordkeeping:** - The number of burden hours in inventory is 2,287,710. This submission added 177,907 burden hours the new burden for recordkeeping is 2,465,617 due to the increase of program participation increase in school food authorities and schools. (See Attachment II)

Total Reporting Hours	248,132
Total Recordkeeping Hours	<u>2,465,617</u>
<b>Total Part 220 Burden Hours</b>	<b>2,713,749</b>

### **A.12.3 Annualized Cost to Respondent**

To estimate public cost, we consulted the U.S. Department of Labor's 2007 Bureau of Labor Statistics. The average hourly rate of all State and local government employees, along with private sector employees, is \$17.69. We assumed that an appropriate portion of State level cost would be funded under the State Administrative Expense (SAE) Program (7 CFR Part 235; OMB No. 0584-0067, Expiration Date: 12/31/2011). During the most recent fiscal year for which we have data on SA expenditure of both SAE and State appropriated funds, SAs funded a percent from State sources. Therefore, we computed SA compliance cost at a rate of \$4.40 per hour rather than \$17.69. Given this, we made the following computations.

#### **Reporting**

SA Level	3,579 hours x \$ 4.40	\$15,747
SFA Level	203,794 hours x \$17.69	\$3,605,098
School Level	<u>40,759 hours</u> x \$17.69	<u>\$721,009</u>
<b>Total</b>	<b>248,132</b>	<b>\$4,341,864</b>

#### **Recordkeeping**

SA Level	72,765 hours x \$ 4.40	\$320,166
SFA Level	96,435 hours x \$17.69	\$1,705,935
School Level	<u>2,296,417</u> hours x \$17.69	<u>\$40,623,616</u>
<b>TOTAL</b>	<b>2,465,617</b>	<b>\$42,649,717</b>

**13. Estimate of other total annual cost burden to respondents or record Keeper.**

There is no start-up or annual maintenance costs for this collection of information.

**14. Annualized cost to the Federal government.**

Federal costs

We identified functions performed by FNS Regional Office (FNSRO) and Headquarters (HQ) staff related to the SBP and obtained estimates of the number of staff hours spent performing these functions (See Attachment III).

Using the 2009 Federal Wage Salary Tables, we estimated the salary rate is \$29.00 per hour (the average hourly salary for a GS 11/12 which is the grade level of staff who performs these functions). Our computations are:

	<u>FEDERAL SALARIES</u>
Salaries (49,395 hours @ \$29.00)	\$1,432,455.00
10% for	
Administrative overhead	<u>\$143,245.00</u>
<b>Federal Cost</b>	<b>\$1,575,700.00</b>

**15. Explanation of program changes or adjustments.**

Since the last submission the burden hours from has increased by 275,052. These adjustments are due to an increase to 8,747 SFA and 7,454 Schools.



**16. Plans for tabulation, publication and project time schedule.**

This submission does not involve the collection of information by statistical methods.

**17. Reasons that display of OMB expiration date is inappropriate.**

We are not seeking approval concerning the display of the expiration date.

**18. Exception to certification for Paperwork Reduction Act submissions.**

There are no exceptions to the certification statement.