

NATIONAL SCHOOL LUNCH PROGRAM

OMB CLEARANCE NUMBER 0584-0006 - REVISION OF A CURRENTLY

APPROVED COLLECTION

Bramaramba Kowtha, 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: 703-605-4390

bramaramba.kowtha@fns.usda.gov

- 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.

This is a revision of the currently approved information collection. The Richard B. Russell National School Lunch Act (NSLA), as amended, authorizes the National School Lunch Program (NSLP) to safeguard the health and well-being of the nation's children and provide low cost or free school lunch meals to qualified students through subsidies to schools. The United States Department of Agriculture (USDA) provides States with general and special cash assistance and donations of foods to assist schools in serving nutritious lunches to children each school day. Participating schools must serve lunches that are nutritionally adequate, and maintain menu and production records to demonstrate compliance with the meal requirements. To the extent practicable, schools ensure that participating children gain a full understanding of the relationship between proper eating and good health. Section 10 of the Child Nutrition Act of 1966 (42 U.S.C. 1779) requires the Secretary of Agriculture to prescribe such regulations as deemed necessary to carry out this Act and the NSLA (42 U.S.C. 1751 et seq.). Pursuant to that provision, the Secretary has issued 7 CFR Part 210, which sets forth policies and procedures for the administration and operation of the NSLP. This information collection is required to administer and operate this program in accordance with the NSLA. The Program is administered at the State and school food authority (SFA) levels, and the operations include the submission and approval of applications, execution of agreements, submission of claims, payment of

claims, providing monitoring and technical assistance. All of the reporting and recordkeeping requirements associated with the NSLP are currently approved by the Office of Management and Budget and are in force.

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.**

This information is required to administer and operate this program in accordance with the NSLA. The Program is administered at the State and school food authority (SFA) levels and the operations include the submission and approval of applications, execution of agreements, submission of claims, payment of claims, providing monitoring and technical assistance. The FNS forms used to collect this data are as follows:

FNS 66 and FNS 66-A: FNS 66 is a prototype application for participating in NSLP, SBP and Special Milk programs for new organizations. These forms are currently in use by only ROAPs. While FNS 66 is a general form, FNS 66-A is more specific to NSLP and SBP operations.

FNS-777, Financial Status Report (OMB #0584-0067, expiration 04/13/2013, formerly the SF-269) is used to collect quarterly reports for SAE Program costs. Meal reimbursement and cash-in-lieu of commodities is reported on the FNS-777.

FNS-640, Coordinated Review (CRE) data report is used by states to report on an annual basis the results of comprehensive on-site administrative evaluations conducted by the school food authorities and schools operating the school lunch program. FNS would not be able to properly monitor State agency and SFA compliance without this data collection.

3. **Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to 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. All 56 state agencies participating in the NSLP transfer their completed FNS-777 forms to FNS electronically via the Food Programs Reporting System (FPRS) at <https://www.FPRS.usda.gov>. In addition, each state agency maintains its own website to communicate electronically with SFAs in their state. The FNS-640 form is submitted via email from each participating State agency to FNS regional offices where it is reviewed and consolidated and then emailed to headquarters.

4. **Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purpose**

described in item 2 above .

There is no similar data collection available. Every effort has been made to avoid duplication. FNS has reviewed USDA reporting requirements, state administrative agency requirements. FNS solely administers and monitors the NSLP.

- 5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.**

Information being requested or required has been held to the minimum required for the intended use. Although smaller SFA record fewer financial transactions involving the NSLP, they delivered the same program benefits and perform the same function as any other SFA. Thus, they maintain the same kinds of information on file. FNS estimates that 1-3% of respondents are small entities.

- 6. Describe the consequence 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.**

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 NSLP because funds for

NSLP are budgeted on a fiscal year basis. If the data is collected less frequently, FNS would not be able to properly monitor program funding and program trends.

7. Circumstances that would cause an information collection to be conducted in a manner that is inconsistent with 5 CFR 1320.5:

- **requiring respondents to report information to the agency more often than quarterly;**

SFAs submit claims for reimbursement for every month they operate the NSLP because funds for NSLP are budgeted on a fiscal year basis.

- **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 that 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 which unneces-**

sarily impedes sharing of data with other agencies for compatible confidential use; or

- **requiring respondents to submit proprietary trade secret, 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 other special circumstances. The collection of information is conducted in a manner consistent with the guidelines in 5 CFR 1320.5.

- 8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, 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.**

A 60-day notice was published on March 21, 2012 in Federal Register, Vol. 77, No. 55, p. 16517. The comment period will end May 21, 2012 and no comments were received in response to the agency's notice.

- **Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting form, and on the data elements to be**

recorded, disclosed, or reported.

FNS consults with Regional Offices regarding any proposed changes as a result of legislative, regulatory or administrative changes. Regional offices are in contact with state agencies which provide feedback on FNS processes and procedures for this information collection.

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

No payment or gift was provided to respondents.

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

The Department will comply with the Privacy Act of 1974. No confidential information is associated with this information collection.

11. **Provide additional justification for any questions of a sensitive nature, such as sexual behavior or attitudes, religious beliefs, and other matters that are commonly considered private. This 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.

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

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

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. 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 13 of OMB Form 83-I.**

This is a revision of currently approved collection. As a result of program changes, this revision will reduce 50,675 burden hours in the OMB information collection inventory. This change is mainly due to reduction in number of State agencies operating the program, and other program changes. The following tables reflect the estimated burden associated with this information collections for each type of respondent.

ESTIMATED ANNUAL BURDEN FOR 0584-0006, NATIONAL SCHOOL LUNCH PROGRAM – REVISION OF A CURRENTLY APPROVED COLLECTION

Reporting						
Description of Activities	Section	Estimated Number of Respondents	Frequency of Response	Average Annual Responses	Average Burden per response	Annual Burden Hours
Request for cash to make NSLP reimbursement payments to SFAs	210.5(a)	56	36	2,016	0.25	504
Request for cash to pay additional NSLP funds to SFAs as the result of corrective action taken on SFAs claim (including justification and corrective action with reference to claim reimbursement).	210.8(b)(4)	56	4	224	2.25	504
SAs will report to FNS about names of large SFAs exceeding any one of the CRE critical area review thresholds.	210.18(d)(1) 210.18(d)(2) & 210.18(o)(1)	56	1	56	0.20	11.20
SA shall confirm that each SFA has a food safety program based on HACCP principles.	210.18(h)(6)	56	93	5,208	1.0	5,208
SA provides written notification of review findings to SFA, including review findings, preliminary assessment of needed corrective actions, and deadlines for completion, and	210.18(j)	56	124	6,944	2.0	13,888

provides notification of adverse action and right to appeal.	210.18(n) & 210.18(o) (2)	56	1	56	1.0	56
SA shall report to FNS the results of reviews by March 1 of each school year, on a form designated by FNS.	210.18(q)	56	1	56	7.0	392
Establish appeal procedures for SFAs.	210.20(a) (8)	56	1	56	1.5	84
SA report the number of food safety inspections conducted to FNS.	210.25	56	2	112	3.2	358.4
Grant Closeout Report						
Total SA Reporting		56	---	14,728	---	21,005
Submit claim for reimbursement and supporting data	210.8(b)	20,858	12	250,296	1.5	375,444
Submit revised claim for reimbursement and supporting statement justifying the adjustment.	210.8(b) (1)	2,085	1	2,085	0.50	1,042.5
Report the total number of children approved for free and reduced priced lunches as of the last day of operation in October.	210.8(c) (2)	20,858	1	20,858	0.08	1,668.64
Application to operate the NSLP and agreement between SA and SFA. *Application and agreement are part of the same		10	1	10	1.30	13

transaction, so there is only one response for both.	210.9(a) (b)					
SFAs provide SAs with a listing of elementary schools with at least 50% eligibility.		4,969	1	4,969	0.50	2,484.50
	210.9(b) (20)	4,969	2	9,938	4.0	39,752
SFAs provide sponsors with elementary school attendance area boundary information.	210.b(9) (20)	241	2	482	1.44	694.08
SFAs must conduct reviews of each afterschool care program that participates in the NSLP.	210.9(c) (7)	10,000	1	10,000	0.02	200
SFAs modify existing menus with more than 30% vegetable protein products.	210.10(h)	20,858	1	20,858	76	1,585,208
Each SFA must develop a food safety program based on HACCP principles for each food preparation and service facility. under its jurisdiction.	210.13(a)	20,858	1	20,858	0.50	10,429
Collect the number of food inspections obtained and report to state agency.	210.15(a) (7)	1,648	1	1,648	1.50	2,472
SFA provide procurement materials to SA for approval.	210.16(a)	20,858	4	83,432	0.33	27,532
SFAs meet the requirements to account for all revenues and expenditures of nonprofit food	210.19(a) (2)					

service						
Total SFA Reporting		20,858	---	425,434	---	2,046,940
Daily counts of paid, reduced priced and free lunches served.	210.9(b)	101,747	10	1,017,470	0.50	508,735
Cafeteria sales (for inclusion in net cash resources)	210.9 (b)	101,747	10	1,017,470	0.33	335,765
Total Schools Reporting		101,747		2,034,940		844,500
Total Reporting		122,661	---	2,475,102	---	2,912,445

Record Keeping

Description of Activities	Section	Estimated Number of Respondents	Frequency of Response	Average Annual Responses	Average Burden per Response	Annual Burden Hours
Records of reviews of Civil Rights compliance by SFAs.	210.18(h) (3)	56	69	3,864	0.1	386.4
SA's criteria for selecting school food authorities for follow-up reviews.	210.18(i)	56	1	56	1	56
Contracts awarded by SFAs to FSMCs	210.19(a) (6)	56	30	1,680	4	6,720
Records pertaining to annual food preference survey of SFAs.	210.19(b)	56	1	56	3	168
SA collects and maintains a listing of all elementary schools in NSLP with	210.19(f)	56	1	56	2	112

at least 50% eligibility.		56	4,133	231,448	0.25	57,862
Accounting records and source documents to control the receipt, custody and disbursement of Federal NSLP funds, including documentation to support reimbursement payments submitted to FNS, approved alternatives.	210.20(b)(1)&(2)					
Maintain records of food safety inspections obtained by schools. and follow-up activity.	210.20(b)(12)	56	372	20,832	0.25	5,208
Total SA Record Keeping		56	---	257,993	---	70,512
Documentation of participation data by school, each month's Claim for Reimbursement, and all data used in the claims review process.	210.8(a) & 210.15(b)(1)	20,858	10	208,580	10	2,085,800
Currently approved and denied applications for free and reduced-priced meals.	210.9(b)(18) & 210.15(b)(4)	20,858	1	20,858	2.66	55,482
Records to account for State funds counted toward the State revenue matching requirements.	210.17(h)	20,858	1	20,858	1	20,858
Total SFA Record Keeping		20,858		250,296		2,162,140
Schools shall maintain production, menu,	210.10(a), 210.15(b)(2)&(3) and	58,231	180	10,481,580	0.28	2,934,842

and nutritional analysis records to demonstrate that meals meet the Dietary Guidelines and other requirements.	210.14(a)(1)					
Certification of child's inability to eat lunch and recommendation for alternate foods.	210.10(a)(i)(1)	101,747	1	101,747	0.50	50,873.50
School food safety inspections.	210.13(b)	101,747	2	203,494	0.08	16,890
Records of daily lunches served by category-free, reduced, paid.	210.15(b)(1)	101,747	180	18,314,460	0.161	2,948,628
Schools maintain NSLP records from food safety program.	210.15(b)(5)	101,705	180	18,306,900	0.02	366,138
Schools maintain SBP records from food safety program.	220.7	81,517	180	14,673,060	0.02	293,461.20
Total Schools Record Keeping		101,747		62,081,241		6,610,833
Total Record keeping		122,661		62,712,190		8,843,486

SUMMARY OF BURDEN (OMB #0584-0006)	
TOTAL NO. RESPONDENTS	122,661
AVERAGE NO. RESPONSES PER RESPONDENT	531.44
TOTAL ANNUAL RESPONSES	65,187,292
AVERAGE HOURS PER RESPONSE	0.1803408
BURDEN REQUESTED WITH NSLP REVISION	11,755,931

- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories.**

The estimate of respondent cost is based on the burden estimates and utilizes the U.S. Department of Labor, Bureau of Labor Statistics, May 2010 National Occupational and Wage Statistics, Occupational Group (25-0000) (<http://www.bls.gov/bls/wages.htm>). The hourly mean wage (for education-related occupations) for functions performed by State agency and local education agency staff are estimated at \$24.25 per staff hour.

TOTAL COST TO PUBLIC = 11,755,931 hours X \$24.25 per hour = \$285,081,326.7

- 13. Estimate of other total annual cost burden to respondents or record keepers. Provide estimates 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 estimates 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.**

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

- 14. Provide estimates of annualized cost to the Federal government. Also, provide a**

description of the method used to estimate cost and any other expense that would not have been incurred without this collection of information.

Federal Costs.

We identified functions performed by FNS Regional Office (FNSRO) and Headquarters (HQ) staff related to the NSLP and obtained estimates of the total number of staff hours spent performing functions like management evaluations of state agencies, financial monitoring of SAs, program analysis, monitoring and policy development.

Using the 2010 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 (81,996 hours @ \$29.00)	\$2,377,884.00
10 % for Administrative overhead	<u>\$237,788.00</u>
Federal Cost	\$2,615,672.00

15. Explain the reasons for any program changes or adjustments reported in item13 or 14 of the OMB 83-1.

This is a revision of a currently approved collection. As a result of program adjustments, this

revision will reduce 50,635 burden hours in the OMB information collection inventory. This change is mainly due to reduction in number of State agencies operating the program, and other adjustments transferred to FNS -10 (burden captured in OMB#0584-0002, expiration 8/31/2012) and commodity schools (burden is not applicable as there are no commodity schools). As a result of program adjustments related to record keeping in school meal operations, there is a significant increase in record keeping responses (32,979,960 mainly for schools in recordkeeping section). While these tasks increased the number of total annual records, amount of record keeping time to complete is minimal and hence it did not really translate to increase in burden hours. In addition, number of responses (on reporting spreadsheet) related to NSLP reimbursements and SA's review of findings were adjusted since last renewal. Comments were inserted at 210.5(a), 210.8(h)(6), 210.8(j) citations, in reporting and record keeping spreadsheets (210.15(b)(5) as appropriate. In summary, burden hours decrease with increase in number of responses is justified because we did not make changes in "estimated average number of hours per response" for certain tasks, and hence increase in number of responses did not always translate to increase in amount of time to complete the task and hence did not amount to increase in burden hours.

16. For collections of information whose results are planned to be published, outline plans for tabulation and publication.

There are no plans to tabulate or publish any information in connection with this information collection.

- 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.**

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

- 18. Explain each exception to the certification statement identified in Item 19**
"Certification for Paperwork Reduction Act."

There are no exceptions to the certification statement.