

Estimate of the Information Collection Burden for Eliminating Applications through
Community Eligibility (OMB #0584-0026)

This document explains the calculation of information collection burden for Eliminating Applications through Community Eligibility in the National School Lunch Program and School Breakfast Program under OMB #0584-0026 as submitted for the revision of the existing regulation. Bolded text refers to revisions to burden hours.

RECORDKEEPING REQUIREMENTS

AFFECTED PUBLIC: STATE AGENCIES

1. 7 CFR Part 245.6(b)(1)(iv) requires State agencies maintain agreements with the State agency conducting eligibility determinations for SNAP.

There are 54 State agencies that will maintain 1 record for a total of 54 responses. The estimated average burden per response is 0.1 hours for a total burden of 5 hours.

2. **Section 245.9(f)(4)(ii) requires that each State agency confirm the local educational agency's eligibility to participate in the community eligibility provision.**

FNS estimates that 56 State agencies will maintain records for confirmation of eligibility for 500 local educational agency spread out across the 56 State Agencies. Each State Agency will maintain an annual total of 9 records ($500 \div 56 = 9$). The estimated average number of burden hours per record is 0.08 resulting in estimated total burden hours of 40 ($500 \times 0.08 = 40$). This is new burden due to rulemaking.

3. 7 CFR Part 245.11(h) requires State agencies maintain information on schools participating and extensions granted in Provision 2 and 3.

FNS estimates that 43 SAs have Provision 1, Provision 2 or Provision 3 schools and SFAs. Each State agency will retain 155 consolidated records ($6,674 \text{ schools} \div 43 \text{ State agencies} = 155 \text{ schools/State agency}$) for a total of 6,665 responses ($43 \times 155 = 6,665$). The estimated average burden per response is 0.25 hours for a total burden of 1666 hours.

4. 7 CFR Part 245.11(i) requires State agencies maintain records on annual verification data.

There are 56 SAs that will each maintain 1 report and the associated data collected for a total of 56 responses. The estimated average burden per response is 0.2 hours for a total burden hours of 11 hours.

5. 245.12 (e) and (g) requires State agencies that fail to meet the direct certification benchmark to maintain a Continuous Improvement Plan.

FNS estimates that 18 State agency will be required to maintain a Continuous Improvement Plan for an annual total of 18 records ($18 \times 1=18$). The estimated average number of burden hours per record is .5 resulting in estimated total burden hours of 9 ($18 \times 0.5 = 9$).

AFFECTED PUBLIC: SCHOOL FOOD AUTHORITEIS (SFA)

1. 7 CFR Parts 245.6(e) requires that SFAs maintain eligibility determination documentation for 3 years after the end of the fiscal year.

FNS estimates there are 20,858 SFAs that maintain 1 set of records annually for a total of 20,858 responses. The estimated average burden per response is 0.08 hours for a total burden of 1,669 hours.

2. 7 CFR Parts 245.9(g) and (h) require that SFAs maintain records related to implementation of Provisions 1, 2, and 3 for 3 years after submission of the last Claim for Reimbursement.

FNS estimates that there are 1092 SFAs that maintain 1 record annually for a total of 1092 responses. The estimated average number of burden hours per response is 2.4715 resulting in estimated total burden hours of 2,699 hours.

AFFECTED PUBLIC: LOCAL EDUCATIONAL AGENCIES

1. **Section 245.9(h)(3) requires local educational agencies participating in the community eligibility provision to maintain documentation and records related to the methodology used to calculate the identified student percentage.**

FNS estimates that 500 local educational agency will elect to participate in the community eligibility provision and must maintain 1 record for an annual total of 500 records ($500 \times 1=500$). The estimated average number of burden hours per record is 0.08 resulting in estimated total burden hours of 40 ($500 \times 0.08=40$). This is new burden due to rulemaking.

REPORTING REQUIREMENTS

AFFECTED PUBLIC: STATE AGENCIES

1. 7 CFR Part 245.4(c) requires Puerto Rico and Virgin Islands State agencies conduct triennial survey to develop factor for withdrawal of funds from Letter of Credit.

Two SAs will each submit 0.33 reports annually for a total of 0.66 responses. The estimated average burden per response is 70 hours for a total estimated burden of 46 hours.

2. 7 CFR Part 245.4(d) requires Puerto Rico and Virgin Islands State agencies (SAs) submit triennial survey results and the factor for funds withdrawal to FNS for approval.

Two SAs submit 0.33 reports annually for a total of 0.66 responses. The estimated average burden per response is 5 hours for a total estimated burden of 3 burden hours.

3. 7 CFR Part 245.6(i) requires State agencies that use or disclose information other than specified by regulation must obtain prior written consent from parent or guardian.

There are 56 SAs that will each submit 1 report annually for a total of 56 responses. The estimated average burden per response is 0.25 hours for a total estimated burden of 14 hours.

4. 7 CFR Part 245.6(j) requires State agencies enter into written agreement with the party receiving children's free and reduced price meal eligibility information.

There are 56 SAs that will each submit 1 response annually for a total of 56 responses. The estimated average burden per response is 0.25 hours for a total estimated burden of 14 hours.

5. **Section 245.9(f)(6) requires that each State agency notify eligible and potentially eligible local educational agencies by April 15, of their status for community eligibility.**

FNS estimates that 4,769 local educational agencies spread out among 56 State agencies are eligible or potentially eligible to for the community eligibility provision annually for a total of 85 responses ($4,769 \div 56=85$). The estimated average number of burden hours per response is 0.05 resulting in estimated total burden hours of 239 ($4,769 \times 0.05=239$). This is new burden due to rulemaking.

6. **Section 245.9(f)(7) requires that State agencies must make both the list of eligible and potentially eligible schools and LEAs publically available on their agency website.**

FNS estimates that each of the 56 State agencies that will file 1 report annually for a total of 56 responses (56 x 1=56). The estimated average number of burden hours per response is 0.017 resulting in estimated total burden hour of 1 (56 x 0.017=1). This is new burden due to rulemaking.

7. 7 CFR Parts 245.11(a)(1) and 245.3(a) require State agencies issue a prototype free and reduced price policy statement and annually announce the family-size and income standards.

There are 56 SAs that will each submit 1 response annually for a total of 56 responses. The estimated average burden per response is 0.1 hours for a total estimated burden of 5.6 hours.

8. 7 CFR Part 245.11(g) requires State agencies notify FNS if TANF is comparable to or more restrictive than AFDC.

There are 56 SAs that will each submit 1 response annually for a total of 56 responses. The estimated average burden per response is 0.1 hours for a total estimated burden of 5.6 hours.

9. 7 CFR Part 245.11(h)(4) requires State agencies submit to FNS upon request, the number of schools on Provision 1, Provision 2 or Provision 3 and extensions.

FNS estimates that 43 SAs have Provision 1, Provision 2 or Provision 3 schools and SFAs. Each of those SAs will submit 1 response upon request for a total of 43 responses annually. The estimated average burden per response is 1.5 hours for a total burden of 64.5 hours.

10. 7 CFR Part 245.11(i) requires State agencies collect, analyze, and submit to FNS annual verification data. Form FNS-742 will be used to report this data.

There are 56 SAs that will each submit 1 report for a total of 56 responses annually. The estimated average burden per response is 4 hours for a total burden hours of 224 hours.

11. 245.12 (e) and (g) requires State agencies that fail to meet the direct certification benchmark must develop and submit a Continuous Improvement Plan within 60 days of notification.

FNS estimates that 18 State agency will be required to develop and submit a Continuous Improvement Plan for an annual total of 18 records ($18 \times 1=18$). The estimated average number of burden hours per record is 3 resulting in estimated total burden hours of 54 ($18 \times 3 = 54$).

AFFECTED PUBLIC: LOCAL EDUCATIONAL AGENCIES

1. **Section 245.6(c)(6)(i) requires local educational agencies to notify households of approval of meal benefit applications.**

FNS estimates that 20,358 local educational agencies will have to notify 6,231,886 households for an annual total of 306 records ($6,231,886 \div 20,358=306$). The estimated average number of burden hours per response is 0.02 resulting in estimated total burden hours of 124,638 ($6,231,886 \times 0.02=124,638$). The number of local educational agencies decreased from 20,858 to 20,358 (this requirement does not apply to 500 local educational agencies that participate in the provision), and the number of households decreased from 6,257,400 to 6,231,886 (this requirement does not apply to households within the 500 local educational agencies that participate in the provision); these program changes resulted in a decrease of 510 hours.

2. **Section 245.6(c)(6)(ii) requires local educational agencies to notify households in writing that children are eligible for free meals based on direct certification and that no application is required.**

FNS estimates that 20,358 local educational agencies will have to notify 2,942,097 households for an annual total of 145 records ($2,942,097 \div 20,358=145$). The estimated average number of burden hours per response is 0.02 resulting in estimated total burden hours of 58,842 ($2,942,097 \times 0.02=58,842$). The number of local educational agencies decreased from 20,858 to 20,358 (this requirement does not apply to 500 local educational agencies that participate in the provision), and the number of households decreased from 3,128,700 to 2,942,097 (this requirement does not apply to households within the 500 local educational agencies that participate in the provision); these program changes resulted in a decrease of 3,732 hours.

3. **Section 245.6(c)(7) requires local educational agencies to provide written notice to each household of denied benefits.**

FNS estimates that 20,358 local educational agencies will have to notify 345,256 households for an annual total of 17 records ($345,256 \div 20,358=17$). The estimated average number of burden hours per response is 0.02 resulting in estimated total burden hours of 6,905 ($345,256 \times 0.02=6,905$). The number of local educational agencies decreased from 20,858 to 20,358 (this requirement does not apply to 500 local educational agencies that participate in the

provision), and the number of households decreased from 354,586 to 345,256 (this requirement does not apply to households within the 500 local educational agencies that participate in the provision); these program changes resulted in a decrease of 187 hours.

4. Section 245.6(j) requires local educational agencies to enter into written agreement with the agency receiving children's free and reduced price eligibility information.

FNS estimates that 20,358 local educational agencies will each file 1 report annually for total of 20,358 reports ($20,358 \times 1 = 20,358$). The estimated average number of burden hours per response is 0.166 resulting in estimated total burden hours of 3,379 ($20,358 \times 0.166 = 3,379$). The number of local educational agencies decreased from 20,858 to 20,358 (this requirement does not apply to 500 local educational agencies that participate in the provision-data does not exist); this program change resulted in a decrease of 83 hours.

5. Section 245.6a(c) requires local educational agencies to determine sample size of households to verify eligibility.

FNS estimates that 20,358 local educational agencies will each file 1 report annually for total of 20,358 reports ($20,358 \times 1 = 20,358$). The estimated average number of burden hours per response is 0.33 resulting in estimated total burden hours of 6,718 ($20,358 \times 0.33 = 6,718$). The number of local educational agencies decreased from 20,858 to 20,358 (this requirement does not apply to 500 local educational agencies that participate in the provision); this program change resulted in a decrease of 165 hours.

6. Section 245.6a(f) requires local educational agencies to notify households of selection for verification.

FNS estimates that 20,358 local educational agencies will file a total of 249,531 reports annually for a total of 12 reports each ($249,531 \div 20,358 = 12$). The estimated average number of burden hours per response is 0.25 resulting in estimated total burden hours of 62,383 ($249,531 \times 0.25 = 62,383$). The number of local educational agencies decreased from 20,858 to 20,358 (this requirement does not apply to 500 local educational agencies that participate in the provision) and the number of households decreased from 250,296 to 249,531; these program changes resulted in a decrease of 191 hours.

7. 7 CFR Part 245.6a(h) requires SFAs report verification information to State agency. There are 20,858 SFAs that will each submit 1 report annually using the FNS-742 form for a total of 20,858 responses. The estimated average burden per response is 0.75 hours for a total burden of 15,644 hours ($20,858 \times 0.75 = 15,644$).

8. 7 CFR Part 245.9(f) requires SFAs with schools under Provisions 1, 2, or 3 must identify those schools in its free and reduced policy statement and certify their eligibility for the first year of operation.

FNS estimates there are 1,092 SFAs that have Provision 1, 2, or 3 schools and each will submit 1 report annually for a total of 1,092 responses. The estimated average burden per response is 0.25 hours for a total burden of 273 hours ($1,092 \times .25 = 273$).

9. **Section 245.9(f)(4)(i) requires local educational agencies electing to participate to submit to the State agency documentation demonstrating that the LEA or schools meet the minimum identified student percentage threshold.**

FNS estimates that 500 local educational agency will elect to participate in the community eligibility provision and must maintain 1 record for an annual total of 500 records ($500 \times 1=500$). The estimated average number of burden hours per record is 0.033 resulting in estimated total burden hours of 17 ($500 \times 0.033=17$). This is new burden due to rulemaking.

10. **Section 245.9(f)(5) requires local educational agencies to submit to the State agency by April 15, a list of schools eligible or potentially eligible for the community eligibility provision and their identified student percentage. The State agency may exempt LEAs from this requirement if the State agency already collects this information.**

FNS estimates that there are 5,159 local educational agencies that will each file 1 report annually for total of 5,159 responses ($5,159 \times 1=5,159$). The estimated average number of burden hours per response is 0.0167 resulting in estimated total burden hours of 86 ($5,159 \times 0.0167=86$). This is new burden due to rulemaking.

11. **Sections 245.9(g)(1) and (g)(2) require participating local educational agencies to amend their free and reduced price policy and certify that schools meet the eligibility criteria.**

FNS estimates that 500 local educational agency will elect to participate in the community eligibility provision and must submit 1 certification annually for an annual total of 500 reports ($500 \times 1=500$). The estimated average number of burden hours per record is 0.25 resulting in estimated total burden hours of 125 ($500 \times 0.25=125$). This is new burden due to rulemaking.

12. 7 CFR Part 245.9(h) requires SFAs with schools under Provisions 2 or 3 submit to FNS upon request all data and documentation used in granting extensions.

FNS estimates that there are 1,092 SFAs that have Provision 2 or Provision 3 schools and each will submit 1 report annually for a total of 1,092 responses. The estimated average burden per response is 0.083 hours for a total burden of 273 hours ($1,092 \times .25 = 273$).

13. 7 CFR Part 245.10(a) requires SFAs submit to State agency for approval free and reduced price policy statement.

There are 20,858 SFAs that will each submit 1 report annually for a total of 20,858 responses. The estimated average burden per response is estimated to be 0.7535 hours for a total burden of 1,572 hours ($20,858 \times 0.7535 = 1,572$).

AFFECTED PUBLIC: HOUSEHOLDS

1. **Section 245.6(a) requires households to complete application form for free or reduced price meal benefits.**

FNS estimates that 8,236,529 households will each file 1 report annually for a total of 8,236,529 responses ($8,236,529 \times 1 = 8,236,529$). The estimated average number of burden hours per response is .07 resulting in an estimated total burden hours of 576,557 ($8,236,529 \times .07 = 576,557$). The number of households decreased from 8,262,043 to 8,236,529; this program change resulted in a decrease of 1,786 hours.

2. **Section 245.6a(a)(7)(i) requires households to assemble written evidence for verification of eligibility and send to local educational agency (SFA).**

FNS estimates that 189,235 households will each file 1 report annually for a total of 189,235 responses ($189,235 \times 1 = 189,235$). The estimated average number of burden hours per response is .50 resulting in an estimated total burden hours of 94,617 ($189,235 \times .50 = 94,617$). The number of households decreased from 190,000 to 189,235; this program change resulted in a decrease of 383 hours.

3. **Section 245.6a(a)(7)(ii) requires households to cooperate with collateral contacts for verification of eligibility.**

FNS estimates that 1,892 households will each file 1 report annually for a total of 1,892 responses ($1,892 \times 1 = 1,892$). The estimated average number of burden hours per response is .167 resulting in an estimated total burden hours of 316 ($1,892 \times .167 = 316$). The number of households decreased from 1,900 to 1,892; this program change resulted in a decrease of 1 hour.