

Estimate of the Information Collection Burden for the
School Breakfast Program (OMB #0584-0012)

This document explains the calculation of the information collection burden for the School Breakfast Program, OMB #0584-0012, as submitted for the renewal of the existing regulation. A notice was published in the Federal Register on April 9, 2015 in Federal Register at Vol. 80, No. 68, page 19064.

REPORTING REQUIREMENTS

AFFECTED PUBLIC: STATE AGENCIES

1. Section 220.5 states that funds to be paid to any State for the School Breakfast Program shall be made available by means of Letters of Credit issued by FNS in favor of the State agency (SA). The SA shall: (a) obtain funds needed for reimbursement to School Food Authorities (SFA) through presentation by designated State officials of a payment Voucher on Letter of Credit in accordance with procedures prescribed by FNS and approved by the U.S. Treasury Department; (b) submit requests for funds only at such times and in such amounts, as will permit prompt payment of claims or authorized advances; and (c) use the funds received from such requests without delay for the purpose for which drawn.

FNS estimates that 56 SAs will each file 36 reports annually for a total of 2,016 responses ($56 \times 36 = 2,016$). The estimated average number of burden hours per response is 0.25 resulting in estimated total burden hours of 504 ($2,016 \times .25 = 504$).

2. Section 220.15(b) states that each SA shall provide FNS and OIG opportunity to conduct management evaluations and audits, respectively, and make available its records upon request by FNS or OIG.

FNS estimates that 19 SAs will receive a ME and will each file 1 report annually for a total of 19 responses ($19 \times 1 = 19$). The estimated average number of burden hours per response is 3 resulting in estimated total burden hours of 57 ($19 \times 3 = 57$).

Activities no longer required in this collection from prior approval:

Section 220.13(b)(2) states that each SA shall also submit to FNS a quarterly Financial Status Report (SF-269) on the use of Program funds.

FNS estimates that 56 SAs will each file 4 reports annually for a total of 224 responses ($56 \times 4 = 224$). The estimated average number of burden hours per

response is 3.2 resulting in estimated total burden hours of 717 ($224 \times 3.2 = 717$). This burden is being captured separately in the 0584-0594 information collection for the Food Program Reporting System (FPRS) and the duplication in this information collection is being removed with this revision.

Section 220.19 states that whenever it is determined that a State agency has materially failed to comply with the provisions of this part, or with FNS guidelines and instructions, FNS may suspend or terminate the Program in whole, or in part, or take any other action as may be available and appropriate. A SA may also terminate the Program by mutual agreement with FNS. FNS and the SA shall comply with the provisions of 7 CFR part 3016 concerning grant suspension, termination and closeout procedures. The SA or FNSRO where applicable, shall apply these provisions, or the parallel provisions of 7 CFR Part 3019, as applicable, to suspension or termination of the Program in SFAs.

FNS estimates that none of the 56 SAs will annually encounter this situation. Therefore, the previously allocated burden for 56 SAs to file 1 report annually for a total of 56 responses ($56 \times 1 = 56$) with an estimated average number of burden hours per response as 2 resulting in estimated total burden hours of 112 ($56 \times 2 = 112$) is removed with this revision.

AFFECTED PUBLIC: SCHOOL FOOD AUTHORITY LEVEL

1. Section 220.7(a) states that the SFA shall make written application to the SA, or FNSRO where applicable, for any school which desires to operate the School Breakfast Program, if such school did not participate in the Program in the prior fiscal year.

FNS estimates that 168 SFAs will each file 1 report annually for a total of 168 responses ($168 \times 1 = 168$). The estimated average number of burden hours per response is 0.25 resulting in estimated total burden hours of 42 ($168 \times 0.25 = 42$). **This is a reporting requirement and was moved from recordkeeping to reporting.**

2. Section 220.11(a) states that, to be entitled to reimbursement, each SFA shall submit to the SA, or FNSRO where applicable, a monthly Claim for Reimbursement.

FNS estimates that 20,386 SFAs will each file 10 reports annually for a total of 203,860 responses ($20,386 \times 10 = 203,860$). The estimated average number of burden hours per response is 1 resulting in estimated total burden hours of 203,860 ($203,860 \times 1 = 203,860$). **This burden is reduced by 19,668 hours due to fewer SFAs**

3. Section 220.11(b) states that Claims not postmarked and/or submitted within 60 days shall not be paid with Program funds unless FNS determines an exception be granted.

FNS estimates that 204 SFAs will each file 1 report annually for a total of 204 responses ($204 \times 1 = 204$). The estimated average number of burden hours per response is 0.75 resulting in estimated total burden hours of 153 ($204 \times .75 = 153$). **This burden is being reduced by 623 hours due to fewer SFAs submitting late claims.**

4. Section 220.15(c) states that audits at the institution (SFA) level shall be conducted in accordance with Office of Management and Budget regulations and the Department's implementing regulations.

FNS estimates that there are 82 SFAs that will each file 1 report annually for a total of 82 responses ($82 \times 1 = 82$). The estimated average number of burden hours per response is 2 resulting in estimated total burden hours of 164 ($82 \times 2 = 164$).

AFFECTED PUBLIC: SCHOOL SITE LEVEL

1. Section 220.11(b) states Claims for Reimbursement shall include data in sufficient detail to justify the reimbursement claimed.

FNS estimates that there are 89,828 schools that will each file 10 reports annually for a total of 89,828 responses ($89,828 \times 10 = 898,280$). The estimated average number of burden hours per response is 0.05 resulting in estimated total burden hours of 44,914 ($898,280 \times 0.05 = 44,914$). **This burden is being increased by 530 hours due an increased number of SFAs.**

RECORDKEEPING REQUIREMENTS

AFFECTED PUBLIC: STATE AGENCIES

1. Section 220.12(a) states that SAs and SFAs shall establish such rules or regulations as are necessary to control the sale of foods in competition with breakfasts served under the Program. Such rules or regulations shall prohibit the sale of foods of minimal nutritional value in the food service areas during the breakfast periods.

FNS estimates that there are 56 SAs that will each file 1 report annually for a total of 56 responses ($56 \times 1 = 56$). The estimated average number of burden hours per response is 1 resulting in estimated total burden hours of 56 ($56 \times 1 = 56$).

2. Section 220.13(b)(1) states that each SA shall maintain Program records as necessary to support the reimbursement payments made to SFAs and reports submitted to FNS.

To support reimbursement payments, FNS estimates that 56 SAs that will each file 36 records annually for a total of 2,016 responses ($56 \times 36 = 2,016$). The estimated average number of burden hours per response is 0.083 resulting in estimated total burden hours of 167 ($2,016 \times 0.083 = 167$).

3. Section 220.13(c) states that each SA shall promptly investigate complaints received or irregularities noted in connection with the operation of either program, and shall take appropriate action to correct any irregularities. State Agencies shall maintain on file evidence of such investigations and actions.

FNS estimates that there are 56 SAs that will each file 1 report annually for a total of 56 responses ($56 \times 1 = 56$). The estimated average number of burden hours per response is 2 resulting in estimated total burden hours of 112 ($56 \times 2 = 112$).

4. Section 220.14(d) states that each SA shall maintain records pertaining to claims against SFAs.

FNS estimates that 56 SAs that will each file 1 report annually for a total of 1,037 responses ($56 \times 12 = 672$). The estimated average number of burden hours per response is 0.25 resulting in estimated total burden hours of 168 ($672 \times 0.25 = 168$). **This is a SA burden is being moved from the SFA burden and is being reduced by 607 hours due to reducing the burden hours per response from .75 to .25.**

Activities no longer required from prior approval:

1. **Section 220.9(d) states that the SA, or FNSRO where applicable, shall determine whether a school is in severe need based on the eligibility criteria. The administering SA shall approve or deny such requests in accordance with guidance.**

FNS estimates that 56 SAs will each file 1 report annually for a total of 56 responses ($56 \times 1 = 56$). The estimated average number of burden hours per response is 0.5 resulting in estimated total burden hours of 28 ($56 \times 0.5 = 28$). This citation is removed from this revision, as this is analysis and not information collection.

2. **Section 220.11 (b) states that, to be entitled to reimbursement, each SFA shall submit to the SA, or FNSRO where applicable, a monthly Claim for Reimbursement.**

FNS estimates that 56 SAs will each file 1,034 reports annually for a total of 57,904 responses ($56 \times 1,034 = 57,904$). The estimated average number of burden hours per response is 0.6 resulting in estimated total burden hours of 34,742 ($57,904 \times 0.6 = 34,742$). This citation is removed from this revision, as this is a duplicate burden already assigned to SFAs (and the correct citation for the SA

for burden to maintain records for reimbursement is 220.13 which already exists and is duplicative).

AFFECTED PUBLIC: SCHOOL FOOD AUTHORITIES

1. Section 220.11(b) states that Claims for Reimbursement shall include data in sufficient detail to justify the reimbursement claimed and to enable the SA to provide the Reports of School Program Operations.

FNS estimates that 20,386 SFAs will each file 10 reports annually for a total of 203,860 responses ($20,386 \times 10 = 203,860$). The estimated average number of burden hours per response is 0.083 resulting in estimated total burden hours of 16,920 ($203,860 \times 0.083 = 16,920$). **This burden is being reduced by 86,565 hours due to reducing the burden hours per response from .5 to .083.**

AFFECTED PUBLIC: SCHOOLS

1. Section 220.8(a)(3) states that schools or SFAs must keep production and menu records for the breakfasts they produce. Schools or SFAs must maintain records of the latest nutritional analysis of the school menus conducted by the SA. Production and menu records must be maintained.

FNS estimates that 89,828 schools will each file 180 reports annually for a total of 16,169,040 responses ($89,828 \times 180 = 16,169,040$). The estimated average number of burden hours per response is 0.12 resulting in estimated total burden hours of 1,940,285 ($16,169,040 \times 0.12 = 1,940,285$). **This burden is being increased by 22,875 hours due to an increase in the number of schools.**

2. Section 220.11(b) states Claims for Reimbursement shall include data in sufficient detail to justify the reimbursement claimed and to enable the SA to provide the Reports of School Program Operations.

FNS estimates that 89,828 schools will each file 180 reports annually for a total of 16,169,040 responses ($89,828 \times 180 = 16,169,040$). The estimated average number of burden hours per response is 0.1 resulting in estimated total burden hours of 1,616,904 ($16,169,040 \times 0.1 = 1,616,904$). **This burden is being increased by 19,062 hours due to an increase in the number of schools.**

Changes made for FY15:

Increased schools from 88,769 to 89,828 (added 530 hours reporting burden and 41,937 hours recordkeeping burden).

Decreased SFAs from 20,697 to 20,386 (subtracted 19,668 hours reporting burden and 258 hours recordkeeping burden)

Removed 717 hours reporting burden for the FNS-777 (which is in FPRS ICR)
Removed 112 hours reporting burden for closeout procedures (which has not occurred)
Subtracted 623 hours reporting burden from exception claims (adjustment)
Subtracted 608 hours recordkeeping burden from claims against SFAs (adjustment)
Transferred 42 hours burden from recordkeeping to reporting (correction)
Removed 28 hours from recordkeeping burden (analysis is not information collection)
Removed 34,742 hours recordkeeping burden (duplicate SA burden)
Removed 86,307 hours recordkeeping burden (adjustment)