

**Estimate of the Information Collection Burden for the
National School Lunch Program (OMB #0584-0006) associated with Final Rule
Administrative Reviews in the School Nutrition Programs RIN 0584-AE30**

This document explains the calculation of the information collection burden for the National School Lunch Program - 7 CFR Part 210, OMB control #0584-0006, for the Administrative Review final rule.

REPORTING REQUIREMENTS

AFFECTED PUBLIC: STATE AGENCIES (SAs)

1. ***Sections 210.18(d)(2); 210.18(i); 210.18(o)(1); and 210.20(a)(5) require SAs to report to FNS the names of large SFAs exceeding administrative review thresholds. FNS estimates there are 56 SAs that will each file 1 report annually for a total of 56 responses (56 x 1 = 56). The estimated average number of burden hours per response is 0.2 resulting in an estimated total annual burden hours of 11.2 (56 x 0.2 = 11.2). This requirement is being removed upon publication of the Administrative Review final rule.***
2. Section 210.18(i)(3) requires SAs to provide written notification to SFAs of review findings, corrective actions, deadlines for completion, and potential fiscal action with right to appeal. FNS estimates there are 56 SAs that will each file 118 reports annually for a total of 6,608 responses (56 x 118 = 6,608). The estimated average number of burden hours per response is 8 resulting in an estimated total annual burden hours of 52,864 (6,944 x 8 = 52,864).
3. Section 210.19(f) requires the SA to provide the CACFP SA with a list of all NSLP schools in which at least 50% of the children are eligible for free or reduced price meals. FNS estimates that 56 SAs will each file 1 report annually for an estimated number of responses of 56 (56 x 1 = 56). The estimated average number of burden hours per response is 2 resulting in estimated total annual burden hours of 112 (56 x 2 = 112).
4. Sections 210.20(a)(5) & 210.18(n)&(o)(2) require SAs to report to FNS the results of reviews by March 1 of each school year, on a form (FNS-640) designated by FNS. FNS estimates there are 56 SAs that will each file 1 report annually for a total of 56 responses (56 x 1 = 56). The estimated average number of burden hours per response is 2.5 hours resulting in an estimated total annual burden hours of 140 (56 x 2.5 = 140).
5. Section 210.20(a)(7) requires SAs to report to FNS the results of schools compliance with the food safety inspection requirement (i.e. number of inspections). FNS estimates there are 56 SAs that will each file 1 report annually for a total of 56 responses (56 x 1 = 56). The estimated average number of burden hours per response is 1.5 resulting in an estimated total annual burden hours of 84 (56 x 1.5 = 84).

AFFECTED PUBLIC: SCHOOL FOOD AUTHORITIES (SFAs)

1. Section 210.9(b)(21) requires SFAs to provide the SA with a list of all schools with at least 50% of enrolled children determined eligible for free or reduced price meals as of the last day of October and, upon request, the attendance boundaries for those schools. FNS estimates 19,822 SFAs will each file 1 report annually for a total of 24,778 responses ($19,822 \times 1.25 = 24,778$). The estimated average number of burden hours per response is 0.25 hours resulting in an estimated total annual burden hours of 6,194 ($24,778 \times 0.25 = 6,194$).
2. Section 210.9(c)(7) requires SFAs to conduct reviews of each afterschool care program that participates in the NSLP. FNS estimates 482 SFAs will each file 2 responses annually for a total of 964 responses ($482 \times 2 = 964$). The estimated average number of burden hours per response is 0.25 hours resulting in an estimated total annual burden hours of 241 ($964 \times 0.25 = 241$).
3. Sections 210.15(a)(1) and 210.8(b)&(c) require SFAs to submit to the SA monthly claims for reimbursement and numbers of enrolled children by category for the month of October. FNS estimates 19,822 SFAs will each file 10.15 reports annually for a total of 201,193 responses ($19,822 \times 10.15 = 201,193$). The estimated average number of burden hours per response is 1 hour resulting in an estimated total annual burden hours of 201,193 ($201,193 \times 1 = 201,193$).
4. Sections 210.15(a)(2)&(4) and 210.9(a)&(b) and 210.7(d)(2) require SFAs to submit an application to the SA for a school to operate the Program, specify commodity preference, and enter into an agreement with the SA, including an annual attestation of compliance with meal pattern and nutrition requirements. FNS estimates there are 19,822 SFAs that will each file 1 report annually for a total of 19,822 responses ($19,822 \times 1 = 19,822$). The estimated average number of burden hours per response is 0.25 hours resulting in estimated total annual burden hours of 4,956 ($19,822 \times 0.25 = 4,956$).
5. Sections 210.15(a)(3) and 210.18(j)(2) require SFAs to submit to the SA a written response to reviews documenting corrective action taken for Program deficiencies. FNS estimates 6,607 SFAs will each file 1 report annually for a total of 6,607 responses ($6,607 \times 1 = 6,607$). The estimated average number of burden hours per response is 8 hours resulting in an estimated total annual burden hours of 52,856 ($6,607 \times 8 = 52,856$).
6. Section 210.15(a)(7) requires SFAs to report to the SA the number of food inspections obtained by each school. FNS estimates 19,822 SFAs will each file 1 report annually for a total of 19,822 responses ($19,822 \times 1 = 19,822$). The estimated average number of burden hours per response is 0.50 hours resulting in an estimated total annual burden hours of 9,911 ($19,822 \times 0.5 = 9,911$).
7. Sections 210.15(a)(8) and 210.14(e)(7) require SFAs to report to the SA the prices of paid lunches for each school. FNS estimates 19,822 SFAs will each file 1 report annually for a total of 19,822 responses ($19,822 \times 1 = 19,822$). The estimated average number of burden hours per response is 0.25 hours resulting in an estimated total annual burden hours of 4,956 ($19,822 \times 0.25 = 4,956$).

AFFECTED PUBLIC: SCHOOLS

1. Section 210.13(b) requires schools to post the most recent food safety inspection and provide a copy upon request. FNS estimates that 101,332 schools will each file 2 reports annually for a total estimated number of responses of 202,664 ($101,332 \times 2 = 202,664$). The estimated average number of burden hours per response is 0.1 resulting in an estimated total annual burden hours of 20,266 ($101,332 \times 0.1 = 20,266$).

RECORDKEEPING REQUIREMENTS

AFFECTED PUBLIC: STATE AGENCIES (SA)

1. Section 210.18(h)(2)(iv) requires each SA to ensure that the LEA and SFA comply with the nutrition standards for all competitive food and maintain records documenting compliance. FNS estimates that 56 SAs will each maintain 118 records annually for a total estimated number of records of 6,608 ($56 \times 118 = 6,608$). The estimated average number of burden hours per record is 0.25 resulting in an estimated total annual burden hours of 1,652 ($6,608 \times 0.25 = 1,652$).
2. Sections 210.20(b)(1)&(2); 210.23(c); and 210.5 require the SA to maintain accounting records and source documents to control the receipt, custody and disbursement of Federal NSLP funds, including documentation to support all SFA claims paid by the SA (FNS-10). FNS estimates that 56 SAs will each file 354 reports annually for a total estimated number of records of 19,824 ($56 \times 354 = 19,824$). The estimated average number of burden hours per record is 3 resulting in an estimated total annual burden hours of 59,472 ($19,824 \times 3 = 59,472$).
3. Sections 210.20(b)(3) and 210.17(g)&(h) require the SA to maintain documentation to support the amount of State funds reported (FNS-13) for State revenue matching requirements. FNS estimates that 56 SAs will each file 1 report annually for a total estimated number of records of 56 ($56 \times 1 = 56$). The estimated average number of burden hours per record is 1 resulting in an estimated total annual burden hours of 56 ($56 \times 1 = 56$).
4. Sections 210.20(b)(6); 210.18(o)(f)(k)(l)(m); and 210.23(c) require the SA to maintain records of all reviews and audits (including Program violations, corrective action, fiscal action, and withholding of payments). The currently approved burden for this activity is 52,864. **FNS estimates that there are 56 SAs that will each file 118 records annually for a total of 6,608 records ($56 \times 118 = 6,608$). The estimated average number of burden hours per record is 8.0021 hours resulting in a revised estimated total annual burden hours of 52,878 hours. ($6,608 \times 8.0021 = 52,878$). *This final rule adds 14 hours of burden for the summary, which is part of these records.***
5. Sections 210.20(b)(7); 210.19(c); and 210.18(o) require the SA document fiscal action taken to disallow improper claims submitted by SFAs, as determined through claims processing, reviews and audits. FNS estimates that there are 56 SAs that will each file 118 records annually for a total of 6,608 records ($56 \times 118 = 6,608$). The estimated average number of burden hours per record is 0.50 hours resulting in an estimated total annual burden hours of 3,304 hours ($6,608 \times 0.5 = 3,304$).

6. Sections 210.20(b)(10) and 210.19(b) require the SA to maintain records on the annual food preference survey of SFAs and prepare and forward to the DA information on schools eligible to receive USDA donated foods. FNS estimates that 56 SAs will each file 1 reports annually for an estimated number of responses of 56 ($56 \times 1 = 56$). The estimated average number of burden hours per response is 3 resulting in an estimated total annual burden hours of 168 ($56 \times 3 = 168$).
7. Section 210.20(b)(11) requires SAs to maintain records supplied by SFAs of food safety inspections obtained by schools. FNS estimates that 56 SAs will each file 354 reports annually for a total estimated number of responses of 19,824 ($56 \times 354 = 19,824$). The estimated average number of burden hours per record is 0.25 resulting in estimated total annual burden hours of 4,956 ($19,824 \times 0.25 = 4,956$).
8. Sections 210.20(b)(12) and 210.14(e)(7) require SAs to maintain records of paid reimbursable lunch prices obtained from SFAs (FNS-828). FNS estimates that 56 SAs will each file 354 reports annually for a total estimated number of responses of 19,824 ($56 \times 354 = 19,824$). The estimated average number of burden hours per record is 0.2 resulting in estimated total annual burden hours of 3,965 ($19,824 \times 0.2 = 3,965$).
9. Section 210.20(b)(14) requires SAs to maintain records to demonstrate compliance with the professional standards for State directors of school nutrition programs. FNS estimates that 56 State agencies will each file 1 record annually for a total estimated number records of 56 ($56 \times 1 = 56$). The estimated average number of burden hours per record is 0.25 hours resulting in an estimated total annual burden hours of 14 ($56 \times .25 = 14$).

AFFECTED PUBLIC: SCHOOL FOOD AUTHORITIES (SFAs) and LOCAL EDUCATION AGENCIES (LEAs)

1. Section 210.9(b)(19) requires SFAs to maintain names of children currently approved for free meals through direct certification with supporting documentation. FNS estimates that 19,822 SFAs will each file 4 reports annually for a total estimated number of records of 79,288 ($19,822 \times 4 = 79,288$). The estimated average number of burden hours per record is 0.65 resulting in an estimated total annual burden hours of 51,537 ($79,288 \times 0.65 = 51,537$).
2. Section 210.11(b)(2) requires LEAs and SFAs to be responsible for maintaining records documenting compliance with the nutrition standards for all competitive food available for sale to students. FNS estimates that 19,822 SFAs will each file 1 record annually for a total estimated number of records of 19,822 ($19,822 \times 1 = 19,822$). The estimated average number of burden hours per record is 20 resulting in an estimated total annual burden hours of 396,440 ($19,822 \times 20 = 396,440$).
3. Sections 210.15(b)(1) and 210.8(a)(5) require SFAs to maintain documentation of participation data by school, each month's Claim for Reimbursement, and all data used in the claims review process. FNS estimates that 19,822 SFAs will each file 10 records annually for a total estimated number of records of 198,220 ($19,822 \times 10 = 198,220$). The estimated average number of burden hours per record is 5 resulting in an estimated total annual burden hours of 991,100 ($198,220 \times 5 = 991,100$).

4. Sections 210.15(b)(2) and 210.7(d)(2) require SFAs to maintain production and menu records and documentation to support performance-based cash assistance. FNS estimates that 19,822 SFAs that will each file 1 record annually for a total estimated number of records of 19,822 ($19,822 \times 1 = 19,822$). The estimated average number of burden hours per record is 0.25 resulting in an estimated total annual burden hours of 4,956 ($19,822 \times 0.25 = 4,956$).
5. Sections 210.15(b)(4) and 210.9(b)(18&20) require SFAs to maintain currently approved and denied applications for free and reduced-priced meals. FNS estimates that 19,822 SFAs will each file 1 record annually for a total estimated number of records of 19,822 ($19,822 \times 1 = 19,822$). The estimate average number of burden hours per record is 2.66 resulting in estimated total annual burden hours of 52,727 ($19,822 \times 2.66 = 52,727$).
6. Sections 210.15(b)(6) and 210.14(e) require SFAs to maintain records to document compliance with reporting lunch prices to the SA. FNS estimates that 19,822 SFAs will each file 1 reports annually for a total estimated number of records of 19,822 ($19,822 \times 1 = 19,822$). The estimated average number of burden hours per record is 5 resulting in an estimated total annual burden hours of 99,110 ($19,822 \times 5 = 99,110$).
7. Sections 210.15(b)(7) and 210.14(f) require SFAs to maintain records to document compliance with revenue from nonprogram foods. FNS estimates that 19,822 SFAs will each file 1 reports annually for a total estimated number of records of 19,822 ($19,822 \times 1 = 19,822$). The estimated average number of burden hours per record is 10 resulting in an estimated total annual burden hours of 198,220 ($19,822 \times 10 = 198,220$).
8. Sections 210.15(b)(8) and 210.30(g) require SFAs to maintain records to demonstrate compliance with the professional standards for school nutrition program directors, managers and personnel. FNS estimates that 19,822 SFAs will each file 1 reports annually for a total estimated number of records of 19,822 ($19,822 \times 1 = 19,822$). The estimated average number of burden hours per record is 0.25 resulting in an estimated total annual burden hours of 4,955 ($19,822 \times 0.25 = 4,955$).

AFFECTED PUBLIC: SCHOOLS

1. Section 210.10(m) requires schools to maintain written statements signed by a licensed physician of the need for substitutions recommending alternate foods unless otherwise exempted by FNS. FNS estimates that 30,400 schools that will each file 1 record annually for a total estimated number of records of 30,400 ($30,400 \times 1 = 30,400$). The estimated average number of burden hours per record is 0.08 resulting in an estimated total annual burden hours of 2,432 ($30,400 \times 0.08 = 2,432$).
2. Section 210.11(b)(2) requires that organizations responsible for food service at various venues in schools maintain records. FNS estimates that 101,332 schools will each file 1 record annually for a total estimated number of records of 101,332 ($101,332 \times 1 = 101,332$). The estimated average number of burden hours per response is 0.5 resulting in estimated total annual burden hours of 50,666 ($101,332 \times 0.5 = 50,666$).

3. Section 210.15(b)(1) requires SFAs or schools to maintain records of participation data by school in support of the Claim for Reimbursement. FNS estimates that 101,332 schools will each file 180 reports annually for a total estimated number of responses of 18,239,760 ($101,332 \times 180 = 18,239,760$). The estimated average number of burden hours per response is .15 resulting in estimated total annual burden hours of 2,735,964 ($18,239,760 \times 0.15 = 2,735,964$).
4. Sections 210.15(b)(2) (3) and 210.10(a)(3) require schools or SFAs to maintain production, menu, and the latest nutritional analysis records to show that meals meet requirements. FNS estimates that 101,332 schools will each file 180 reports annually for a total estimated number of responses of 18,239,760 ($101,332 \times 180 = 18,239,760$). The estimated average number of burden hours per response is 0.25 resulting in estimated total annual burden hours of 4,559,940 ($18,239,760 \times 0.25 = 4,559,940$).
5. Sections 210.15(b)(5) and 210.13(b)&(c) require schools to maintain temperature records for food safety program and records from the most recent food safety inspection. FNS estimates that 101,332 schools will each file 120 reports annually for a total estimated number of responses of 12,159,840 ($101,332 \times 120 = 12,159,840$). The estimated average number of burden hours per response is 0.02 resulting in estimated total annual burden hours of 243,197 ($12,159,840 \times 0.02 = 243,197$).

PUBLIC NOTIFICATION REQUIREMENTS

AFFECTED PUBLIC: STATE AGENCIES (SAs)

1. **Section 210.18(m) requires SAs to make the most recent final administrative review results available to the public in an easily accessible manner (by posting a summary to the SA website and make a copy available upon request). FNS estimates there are 56 SAs that will each file 124 reports annually for a total of 6,944 responses ($56 \times 124 = 6,944$). The estimated average number of burden hours per response is 0.25 resulting in an estimated total annual burden hours of 1736 ($6,944 \times 0.25 = 1736$).**

Revisions made for the Administrative Review final rule resulted in an overall increase of 1,739 hours (*comprised of a new requirement adding 1,736 hours of public notification burden and a new requirement adding 14 hours of recordkeeping burden and removing an existing requirement removing 11 hours of reporting burden*).