

Child Care and Development Fund (CCDF) Plan Preprint for States and Territories

**OMB Information Collection Request
0970 - 0114**

Supporting Statement Part A - Justification

December 2020

Submitted By:
Office of Child Care
Administration for Children and Families
U.S. Department of Health and Human Services

SUPPORTING STATEMENT A – JUSTIFICATION

Summary

This request is for revisions to the State and Territory CCDF Plan Preprint (ACF Form 118) to make it more user friendly, to address feedback received from states and territories since the last approval in 2018, and to respond to comments received from the public in response to a notice published in the Federal Register (See 85 FR 55852). OCC has given thoughtful consideration to the comments received and made additional changes to the Plan Preprint document following the 60-day public comment period. Consistent with requirements under the Paperwork Reduction Act, ACF requests a revision of the ACF-118 to incorporate minor corrections and modifications.

1. Circumstances Making the Collection of Information Necessary

The authorization to require the submittal of a Block Grant Plan by the Lead Agency in the State or Territory administering a Child Care and Development Fund (CCDF) program is contained in the Child Care and Development Block Grant Act of 1990 (CCDBG Act), 42 U.S.C 9858 as amended by the Child Care and Development Block Grant Act of 2014, Public Law 113-186. To be eligible to receive funds under this program, Section 658E of the CCDBG Act, 42 U.S.C. 9858c, a State or Territory shall prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary shall require by rule, including a CCDF Plan (OMB 0970-0114) that meets the requirements of Section 658E(c) of the CCDBG Act, 42 U.S.C. 9858c(c). OCC provides Lead Agencies with the State and Territory CCDF Plan Preprint (ACF Form 118) as a useful tool to guide the development and submission of their Plans. This information collection request is to continue use of the CCDF Preprint plan with minor corrections and modifications. The CCDF Plan Preprint is currently approved through 12/31/2021). Revisions to the current information collection are requested now, however, to allow States/Territories to have time to prepare their Plan and submit by the July 1, 2021 regulatory submission deadline. See Attachment A for the revised version.

2. Purpose and Use of the Information Collection

The primary purpose of the information contained in the CCDF Plan is to determine whether the Lead Agency can be approved to receive Block Grant funding, as required in Section 658E(d) of the Child Care and Development Block Grant (CCDBG) Act of 2014 (42 U.S.C. 9858c and 9858m), as amended. The OCC reviews the Plan information to determine if the Lead Agency is operating in accordance with its approved Plan. In addition, the information contained in the State and Territory Plans helps the OCC identify trends, best practices, areas that need improvement and to determine if the States and Territories are administering the program in accordance with the CCDBG Act and

amended regulations. Based on a review of the Plans, the OCC designs technical assistance strategies that will be responsive to the needs of the Lead Agencies.

ACF has found the CCDF Plan Preprint useful in guiding Lead Agencies in the development and submission of their Plans. The standardized, "Preprinted" format provides complete program information necessary to complete the CCDF Plan, ease the burden on States and Territories, especially with the inclusion of check boxes, and expedites timely reviews by ACF staff. Because the CCDF Plan Preprint reflects the CCDBG statute and amended regulations, it serves as a framework, or blueprint for Lead Agencies in developing and implementing their CCDF programs.

The public takes considerable interest in the way States and Territories administer their CCDF funds. With the focus on transparency, the Plan Preprint allows Lead Agencies to provide the public an opportunity to comment on the provision of child care services under the Plan. The OCC also makes Plan information available to many users including members of Congress, Congressional Committees, State, and local child care administrators, advocacy groups, researchers and the public.

3. Use of Improved Information Technology and Burden Reduction

Lead Agencies submit their Plans electronically through a web-based on-line submission tool designed by OCC. OCC continues to work with Lead Agencies on the usability of this on-line submission. Some of the revisions to the Preprint (e.g. use of checkboxes) were designed and formatted to make the Plan suitable for an electronic submission process.

4. Efforts to Identify Duplication and Use of Similar Information

The information collected by the ACF-118 is not available from any other source.

5. Impact on Small Businesses or Other Small Entities

The data collection effort does not involve small businesses or other small entities.

6. Consequences of Collecting the Information Less Frequently

In accordance with 45 CFR 98.13, Lead Agencies are required to provide a Plan that describes the entire child care program in detail triennially (every three years).

7. Special Circumstances Relating to the Guidelines of 5 CFR 1320.5

The collection of information will be conducted in accordance with 5 CFR 1320.6.

8. Comments in Response to the Federal Register Notice and Efforts to Consult Outside the Agency

In accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13) and Office of Management and Budget (OMB) regulations at 5 CFR Part 1320 (60 FR 44978, August 29, 1995), ACF published a notice in the Federal Register announcing the agency's intention to request an OMB review of this information collection activity. This notice was published on September 10, 2020, Volume 85, Number 176, page 55852, and provided a sixty-day period for public comment.

Throughout spring and summer, OCC announced the forthcoming publication of this information collection in the Federal Register at multiple events. The events included focus groups at regional meetings, and the annual Tribe, State and Territory Administrators' Meeting (TSTAM). The OCC sent an email message to state and territory Lead Agencies and external stakeholders notifying them of the September 10, 2020, Federal Register notice including sending electronic copies of the draft Preprint.

During the notice and comment period, OCC received a total of 319 comments from 24 entities. Several school-age organizations (both national and state/regional) submitted identical, or very similar, comments. As such, there are 210 unduplicated comments.

Commenters included:

- Lead Agencies (5)
- National Advocacy Organizations (12)
- State-wide or Regional Advocacy Organizations (6)
- Child Care Providers (1)

Process for Review of Comments:

- Every comment was reviewed by a team of OCC staff, and was considered in relation to the Plan requirements in Statute and regulations.
- Each comment was reviewed to determine what could be learned from it and then evaluated to identify opportunities for it to inform the CCDF Plan Training Framework that is being developed to correspond with the Preprint.

As part of these discussions, staff suggested additional formatting and revisions needed to improve readability and understanding of the Preprint.

The comments generally fell into four categories:

- Positive feedback that did not request any change: A number of the comments expressed appreciation for the proposed Preprint refinements.

- Comments which resulted in edits: Requests for additional editing or wording changes. A number of comments suggested edits to clarify proposed Preprint refinements. In considering these changes, OCC consulted with the regulation to align language with the Final Rule as much as possible.
- Comments that requested edits that could not be made due to limitations provided by the statute or regulation: A number of comments were in direct conflict with CCDF statute and regulations. These comments proposed refinements that would place burdens on Lead Agencies. There were also comments requesting accommodations for individual Lead Agencies' unique state or territory situations or considerations of specific age groups that are not in alignment with the regulations. Unfortunately, OCC is unable to customize the Preprint to reflect any one Lead Agency's landscape or to go beyond what is outlined in CCDF requirements.
- Comments to be used to inform OCC training materials and review documents: Some comments encouraged new practice by going beyond the scope of what is required in the statute and regulations. However, since they provided useful ideas, OCC is working to include them in the Plan Preprint training framework that is currently in development.

9. Explanation of Any Payment or Gift to Respondents

No payments or gifts are provided to respondents.

10. Assurance of Confidentiality Provided to Respondents

The information collection is nothing of a confidential nature, therefore does not require any assurance of confidentiality.

11. Justification for Sensitive Questions

There are no questions of a sensitive nature.

12. Estimates of Annualized Burden Hours and Costs

The annual public reporting burden for this information collection is estimated to average 200 hours per response. This includes the time for reviewing instructions, gathering and maintaining the data needed, and completing the CCDF Plan Preprint once every three years.

Total cost is projected to be approximately \$149,320.00 (3,733 * \$40/hour).

Information Collection Title	Total Number of Respondents	Total Number of Responses Per Respondent	Average Burden Hours Per Response	Total Burden Hours	Annual Burden Hours	Average Hourly Wage	Total Annual Cost
CCDF Plan Preprint	56	1	200	11,200	3,733	\$40	\$149,320.00
Estimated Annual Burden Total:					3,733		\$149,320.00

Example of description of costs for Social and Human Services Assistants with 100 hours of burden:

The job code is 21-1093 and wage data from May 2019 is \$20.00 per hour. Therefore to account for fringe benefits and overhead the rate is multiplied by two which is \$40.00. The estimate of annualized cost to respondents for hour burden is \$40 times 3,733 or \$149,320.00.

<https://www.bls.gov/oes/current/oes211093.htm>

13. Estimates of Other Total Annual Cost Burden to Respondents and Record Keepers

There are no direct monetary costs to Lead Agencies other than the time to complete the ACF-118.

14. Annualized Cost to the Federal Government

The annual costs to the Federal Government are projected as follows:

<u>Task</u>	<u>Estimated Hours</u>	<u>Estimated Rate</u>	<u>Total</u>
Preprint Design	160	\$30.58	\$ 4,892.80
State/Territory Plan Review	40 * 56 Plans = 2,240	\$30.58	\$68,499.20
		Total	\$73,392

NOTE: Plans are submitted triennially.

15. Explanation for Program Changes or Adjustments

There are no changes or adjustments to the annual cost burden to respondents (#13) or the annualized costs to the Federal Government (#14). The total estimated burden per response and number of respondents remains the same, but the presentation and

calculation of burden is shown in a slightly different way and therefore the total burden estimate number is slightly different from the previously approved submission.

Consistent with previous formats, the Preprint includes a combination of check boxes, certifications, and requests for descriptive information.

16. Plans for Tabulation and Publication and Project Time Schedule

Not applicable.

17. Reason(s) Display of OMB Expiration Date is Inappropriate

Not applicable.

18. Exceptions to Certification for Paperwork Reduction Act Submissions

There are no exceptions.