

# **Annual Report on Children in Foster Homes and Children Receiving Payments<sup>1</sup>**

**OMB Information Collection Request  
0970 - 0004**

## **Supporting Statement Part A - Justification**

**March 2021**

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

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<sup>1</sup> Form ACF-4125 was previously titled “the Annual Statistical Report on Children in Foster Homes and Children Receiving Payments.” Since this is not a statistical report, the form has been retitled to “the Annual Report on Children in Foster Homes and Children Receiving Payments.”

## **SUPPORTING STATEMENT A – JUSTIFICATION**

### **1. Circumstances Making the Collection of Information Necessary**

The Elementary and Secondary Education Act of 1965 (ESEA), Section 1124 of Title I, as amended by P.L. 114-95, requires the Secretary of Health and Human Services (HHS) to determine the number of children aged five to seventeen, inclusive, that (1) are being supported in foster homes with public funds; or (2) are from families receiving assistance payments in excess of the current poverty income level for a family of four. The Administration for Children and Families (ACF) within HHS passes this information to the Secretary of Education for purposes of allocating grants authorized under this law. The statute requires that the formula to allocate these grants and distribute funds be based, in part, on October caseload data of the number of children in foster care or in families receiving payments from state programs funded under Title IV-A of the Social Security Act [Temporary Assistance for Needy Families (TANF)]. Both the TANF and foster care programs fall under the purview of ACF within HHS.

### **2. Purpose and Use of the Information Collection**

The U.S. Department of Education (ED) uses these data, collected by ACF, in the formula for computation of ESEA Title I grants for local educational agencies (LEAs) to improve the academic achievement of disadvantaged children. The purpose of this annual data report is to provide annually updated data so that funds may be allocated in accordance with the ESEA.

Prior to fiscal year (FY) 1999, the law required ED to determine ESEA Title I allocations for counties and authorized state education agencies (SEAs) to suballocate county amounts to LEAs in accordance with regulations published by ED. Beginning in FY 1999, however, the law requires allocation directly to the LEAs based primarily on LEA-level poverty estimates produced by the Census Bureau.

The Census Bureau annually provides ED with a list of LEAs by state. ED in turn provides ACF with blank data reports for each state populated with that state's LEAs. ACF then shares the blank data reports with each state.

### **3. Use of Improved Information Technology and Burden Reduction**

States are encouraged to submit the data report by email in excel format. Since the data are submitted to ACF in summary format, it is assumed that states are using whatever data collection and transmission technology is required or best suited to their needs. It is unlikely that a more sophisticated, uniform method of transmitting the data to ACF would greatly reduce the reporting burden of individual states.

### **4. Efforts to Identify Duplication and Use of Similar Information**

There are no other data available which meet this specific purpose as specified by law.

**5. Impact on Small Businesses or Other Small Entities**

This collection of information will not impact small businesses or other small entities; it will affect only public agencies.

**6. Consequences of Collecting the Information Less Frequently**

Failure by ACF to collect these data will prevent ED from making annual distribution of Title I grants using the method specified by law.

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

There are no special circumstances associated with this collection of information.

**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 December 22, 2020, Volume 85, Number 246, page 83585, and provided a sixty-day period for public comment. We did not receive comments.

**9. Explanation of Any Payment or Gift to Respondents**

There are no payments or gifts to respondents for their participation.

**10. Assurance of Confidentiality Provided to Respondents**

There is no pledge of confidentiality in the use of state reports to obtain summary national data. Data are not collected on individuals.

**11. Justification for Sensitive Questions**

This collection contains no questions of a sensitive nature.

**12. Estimates of Annualized Burden Hours and Costs**

Information Collection Title	Total Number of Respondents	Total Annual Number of Responses Per Respondent	Average Burden Hours Per Response	Total Annual Burden Hours	Average Hourly Wage	Total Annual Cost
Annual Statistical Report on Children in Foster Homes and Children Receiving Payments	52 (50 states, Puerto Rico, and Washington DC)	1	264.35	13,746	\$35.62	\$489,639.64
<b>Estimated Annual Burden Total:</b>				13,746	<b>Estimated Annual Cost Total:</b>	\$489,639.64

The cost to respondents was calculated using the Bureau of Labor Statistics (BLS) job code for Social and Human Services Assistants [21-1093] and wage data from May 2019, which is \$17.81 per hour. To account for fringe benefits and overhead the rate was multiplied by two which is \$35.62. The estimate of annualized cost to respondents for hour burden is \$35.62 times 264.35 hours or \$9,416.15.

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

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

No other costs.

### 14. Annualized Cost to the Federal Government

Annual cost to the Federal Government is estimated at \$8,000. This includes \$8,000 in salaries (80 hours at an estimated average rate of \$100 including fringe benefits, overhead, etc.) for such tasks as consultation with ED staff; development and clearance processing of the data reports and instructions; monitoring receipt of, and following up on missing responses; and transmitting information to ED.

### 15. Explanation for Program Changes or Adjustments

There are no changes to the information collection since the last OMB approval.

### 16. Plans for Tabulation and Publication and Project Time Schedule

ACF gathers the completed data reports and turns them over to ED, which uses them in a formula to compute the dollar value of grants to LEAs. ED announces these grants during the second quarter of each fiscal year. The data are not otherwise used in any public facing documents.

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

Not applicable.

**18. Exceptions to Certification for Paperwork Reduction Act Submissions**

Not applicable.