

Attachment B

Burden Narrative: Estimate of the Information Collection Burden for OMB Control Number 0584-NEW associated with Proposed Rule: Child Nutrition Programs: Community Eligibility Provision – Increasing Options for Schools (RIN 0584-AE93)

This document explains the calculation of the information collection burden for the new information collection associated with the Community Eligibility Provision – Increasing Options for Schools proposed rule. This new collection contains currently approved information collection requirements approved under OMB Control Number 0584-0026, 7 *CFR Part 245 - Determining Eligibility for Free & Reduced Price Meals and Free Milk in Schools*.

REPORTING REQUIREMENTS

AFFECTED PUBLIC: STATE AGENCIES (SA)

1. 7 CFR Part 245.9(f)(6) requires SAs to notify LEAs of their community eligibility status by April 15.

Due to the changes discussed in the proposed rule, FNS expects that the number of LEAs that must be notified will increase by 4,628. FNS estimates that 55 SAs will submit 84.15 responses annually for an estimated total of 4,628 responses ($55 \times 84.15 = 4,628$). The estimated average burden per response is 3 minutes (0.05 hours) for a total estimated burden of 232 hours ($4,628 \times 0.05$). **This is adding 232 hours and 4,628 responses to OMB's inventory due to a program change. After the changes are merged into OMB Control Number 0584-0026 7 CFR Part 245 – Determining Eligibility for Free and Reduced Price Meals and Free Milk in Schools, FNS estimates that this will add 232 hours and 4,628 responses to the currently approved burden due to an increase in the number of Local Educational Authorities (LEAs) that need to be informed of their community eligibility status due to the fact that more schools are eligible to participate in the program.**

AFFECTED PUBLIC: LOCAL EDUCATIONAL AGENCIES (LEA)/SCHOOL FOOD
AUTHORITIES (SFAs)

1. 7 CFR Part 245.9(f)(4)(i) requires LEAs submit to SA documentation of an acceptable identified student percentage of the LEA or school electing the provision by June 30.

FNS estimates that 337 additional LEAs will elect CEP as a result of the proposed rule. FNS estimates that 337 LEAs will submit 1 response annually for a total of 337 responses ($337 \times 1 = 337$). The estimated average burden per response is 15 minutes (0.25 hours) for a total burden of 84 hours ($337 \times 0.25 = 84$). **This is adding 84 hours and 337 responses to OMB's inventory due to a program change. After the changes are merged into OMB Control Number #0584-0026, FNS estimates that this will add 84 hours and 337 responses to the currently approved burden due the increase in the number of LEAs electing to participate in the program.**

2. 7 CFR Part 245.6(c)(6)(i) requires LEAs to notify households in writing of approval of meal applications.

FNS estimates that 15,003 LEAs will submit an average of 219 responses annually for a total of 3,285,657 responses ($15,003 \times 219 = 3,285,657$). The estimated average burden per response is 1 minute (0.0167 hours) for a total burden of 54,870 hours ($3,285,657 \times 0.0167 = 54,870$). This is adding 54,870 hours and 3,285,657 responses to OMB's inventory due to a program change. After the changes are merged into OMB Control Number 0584-0026, FNS estimates that this will remove 1,420 hours and 85,018 responses from the currently approved burden due to a decrease in the number of LEAs required to determine eligibility using household applications because they have decided to participate in CEP due to the proposed changes.

Attachment B

3. 7 CFR Part 245.6(c)(6)(ii) requires LEAs 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 15,003 LEAs will submit an average of 332 responses annually for a total of 4,980,996 responses ($15,003 \times 332 = 4,980,996$). The estimated average burden per response is 1 minute (0.0167 hours) for a total burden of 83,183 hours ($4,980,996 \times 0.0167 = 83,183$). This is adding 83,183 hours and 4,980,996 responses to OMB's inventory due to a program change. After the changes are merged into OMB Control Number 0584-0026, FNS estimates that this will remove 1,917 hours and 114,780 responses from the currently approved burden due to a decrease in the number of LEAs who are required to notify households that they are directly certified because the LEAs have decided to participate in the CEP due to the proposed changes.

4. 7 CFR Part 245.6(c)(7) requires LEAs to notify households in writing of denied free or reduced-price meal benefits.

FNS estimates that 15,003 LEAs will submit an average of 11.56 responses each year (written notification for 12 households) for a total of 173,435 annual responses ($15,003 \times 11.56 = 173,435$). The estimated average burden per response is 1 minute (0.0167 hours) for a total burden of 2,896 hours ($173,435 \times 0.0167 = 2,896$). This is adding 2,896 hours and 173,435 responses to OMB's inventory due to a program change. After the changes are merged into OMB Control Number 0584-0026, FNS estimates that this will remove 66 hours and 3,969 responses from the currently approved burden due to a decrease in the number of LEAs required to notify households of application denial because the LEAs have decided to participate in CEP due to the proposed changes.

5. 7 CFR Part 245.6a(f) requires LEAs to notify households of selection for verification.

FNS estimates that 15,003 will submit 6.50 responses (notify approximately seven households of their selection for verification) annually for a total of 97,520 responses

(15,003 x 6.50 = 97,520). The estimated average burden per response is 15 minutes (0.25 hours) for a total burden of 24,380 hours (97,520 x 0.25 = 24,380). This is adding 24,380 hours and 97,520 responses to OMB's inventory due to a program change. After the changes are merged into OMB Control Number 0584-0026, FNS estimates that this will remove 712 hours and 2,849 responses from the currently approved burden due to a decrease in the number of LEAs required to conduct verification because they have decided to participate in CEP due to the proposed changes.

6. 7 CFR Part 245.6a(j) requires that LEAs provide households that failed to confirm eligibility with 10 days notice for receiving a reduction or termination of free or reduced-price meal benefits.

FNS estimates that 15,003 LEAs will provide 2.65 notices annually for a total of 39,758 responses (15,003 x 2.65 = 39,758). The estimated average burden per response is 6 minutes (0.1002 hours) for a total burden of 3,984 hours (39,758 x 0.1 = 3,976). This is adding 3,984 hours and 39,798 responses to OMB's inventory due to a program change. After the changes are merged into OMB Control Number 0584-0026, FNS estimates that this will remove 95 hours and 949 responses from the currently approved burden due to a decrease in the number of LEAs required to conduct verification because they have decided to participate in CEP due to the proposed changes.

7. 7 CFR Part 245.9(f)(5) requires LEAs to submit a list of schools eligible or potentially eligible to elect the Community Eligibility Provision (CEP) to SAs for publication by April 15; unless otherwise exempted by the State agency.

FNS estimates that 4,628 LEAs will submit 1 response annually for a total of 4,628 responses (4,628 x 1 = 4,628). The estimated average burden per response is 5 minutes (0.0835 hours) for a total burden of 386 hours (4,628 x 0.0835 = 386). This is adding 386 hours and 4,628 responses to OMB's inventory due to a program change. After the changes are merged into OMB Control Number 0584-0026, FNS estimates that this will add 386 hours and 4,628 responses to the currently approved burden due to an increase

in the number of schools eligible to participate in the Community Eligibility Provision (CEP).

8. 7 CFR Part 245.9(g) requires LEAs amend free and reduced policy statements and certify that schools meet the eligibility criteria when electing CEP.

FNS estimates that 337 LEAs will submit 1 response annually for a total of 337 responses ($337 \times 1 = 337$). The estimated average burden per response is 6 minutes (0.1002 hours) for a total burden of 34 hours ($337 \times 0.1 = 34$). This is adding 34 hours and 337 responses to OMB's inventory due to a program change. After the changes are merged into OMB Control Number 0584-0026, FNS estimates that this will add 34 hours and 337 responses to the currently approved burden due to an increase in the number of schools eligible to participate in the Community Eligibility Provision (CEP).

AFFECTED PUBLIC: HOUSEHOLD LEVEL

1. 7 CFR Part 245.6(a)(1) requires households complete application form for free or reduced-price meal benefits.

FNS estimates that there are 3,470,131 households that will submit 1 record annually for a total of 3,470,131 responses ($3,470,131 \times 1 = 3,470,131$). The estimated average burden per response is 7 minutes (0.1169 hours) for a total burden of 405,658 hours ($3,470,131 \times 0.1169 = 405,658$). This is adding 405,658 hours and 3,470,131 responses to OMB's inventory due to a program change. After the changes are merged into OMB Control Number 0584-0026, FNS estimates that this will remove 9,112 hours and 77,947 responses from the currently approved burden due to a decrease in the number of households required to submit applications because their school has elected to participate in CEP due to the proposed changes.

2. 7 CFR Part 245.6a(a)(7)(i) requires households to send written evidence for verification of eligibility for free and reduced-price meals to LEA.

FNS estimates that 98,164 households will submit 1 response annually for a total of 98,164 responses ($98,164 \times 1 = 98,164$). The estimated average number of burden hours per response is 30 minutes (0.5 hours) resulting in an estimated total burden of 49,082 hours ($98,164 \times 0.5 = 49,082$). This is adding 49,082 hours and 98,164 responses to OMB's inventory due to a program change. After the changes are merged into OMB Control Number 0584-0026, FNS estimates that this will remove 1,103 hours and 2,205 responses from the currently approved burden due to a decrease in the number of LEAs required to conduct verification because they have elected to participate in CEP due to the proposed changes.

RECORDKEEPING REQUIREMENTS

AFFECTED PUBLIC: STATE AGENCIES

1. 7 CFR Part 245.9(f)(4)(ii) requires state agencies to review and confirm LEAs eligibility to participate in Provisions 1, 2, or 3 or CEP.

There are 55 State agencies that will maintain an estimated 6.13 records per year for a total of 337 annual responses ($54 \times 6.24 = 337$). The estimated average burden per response is 5 minutes (0.0835 hours) for a total burden of 28 hours ($337 \times 0.0835 = 28$). This is adding 28 hours and 337 responses to OMB's inventory due to a program change. After the changes are merged into OMB Control Number 0584-0026, FNS estimates that this will add 28 hours and 337 responses to the currently approved burden due to an increase in the number of LEAs applying to operate CEP (because of an increase in the number of schools now electing to participate in CEP based on the changes outlined in the rule).

AFFECTED PUBLIC: LOCAL EDUCATIONAL AGENCIES (LEA)/SCHOOL FOOD AUTHORITIES (SFAS)

Attachment B

1. 7 CFR Part 245.6(e) requires LEAs to maintain eligibility determination documentation for 3 years after the end of the fiscal year to which they pertain.

FNS estimates that 15,003 LEAs will maintain 1 set of records each year for a total of 15,003 annual records (15,003 x 1 = 15,003). The estimated average burden per record is 5 minutes (0.0835 hours) for a total burden of 1,253 hours (15,003 x 0.08 = 1,253). This is adding 1,253 hours and 15,003 responses to OMB's inventory due to a program change. After the changes are merged into OMB Control Number 0584-0026, FNS estimates that this will remove 28 hours and 337 responses from the currently approved burden due to a decrease in the number of LEAs maintaining documentation of eligibility determinations (it is expected that more LEAs will be electing CEP for all of the schools in their district; in these situations, the LEAs do not need to maintain documentation showing the eligibility determinations).

2. 7 CFR Parts 245.9(h)(3) requires that LEAs of Provision schools maintain implementation records and documentation of methodology used to calculate the identified student percentage and eligibility.

FNS estimates that there are 337 LEAs that maintain 1 record annually for a total of 337 records (337 x 1 = 337). The estimated average number of burden hours per record is 55 minutes (0.9018 hours), resulting in an estimated total burden of 304 hours (337 x 0.9018 = 307). This is adding 304 hours and 337 responses to OMB's inventory due to a program change. After the changes are merged into OMB Control Number 0584-0026, FNS estimates that this will add 304 hours and 337 responses to the currently approved burden due to an increase in the number of LEAs electing to participate in CEP.