

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

**OMB Information Collection Request
0970 - 0114**

Supporting Statement Part A - Justification

January 2024

Type of Request: Revision

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

Summary

This request is for a revision to OMB # 0970-0114. It includes a request to extend approval of the currently approved form ACF-118: Child Care and Development Fund (CCDF) Plan Preprint for States/Territories for FFY 2022-2024 without changes to cover the full three-year effective period for the FFY2022-2024 state and territory plans, and for approval of a new version of form ACF-118: Child Care and Development Fund (CCDF) Plan Preprint for States/Territories for FFY 2025-2027 (Preprint). For FFY 2025-2027, the form has been updated to elevate CCDF implementation priorities, simplify questions to reduce burden, align the collection with the monitoring process, and to respond to comments received from the public in response to a notice published in the Federal Register (See 88 FR 41962). OCC has thoughtfully considered the comments received and made additional changes to the 2025-2027 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 for FFY 2025-2027 to incorporate minor corrections and modifications.

1. Circumstances Making the Collection of Information Necessary

The authorization to require a Lead Agency in the State or Territory administering a Child Care and Development Fund (CCDF) program to submit a plan using the Preprint form 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 State/Territory Lead Agencies with the CCDF 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 2022-2024 CCDF Preprint with corrections and modifications, and to approve the new 2025-2027 Preprint.

The 2022-2024 Preprint is currently approved through February 29, 2024 and will need to be extended without changes to allow for states to make needed amendments to their current plans for any substantial program changes effective through September 30, 2024.

The proposed 2022-2025 Preprint includes revisions to the current information collection and must be finalized now to allow States and Territories to have time to prepare their plans and submit by the July 1, 2024, regulatory submission deadline. Revisions to the 2025-2027 Preprint include changes to elevate CCDF implementation priorities, simplify questions to reduce burden, align the collection with the monitoring process, and to respond to comments received from the public in response to a notice published in the Federal Register (See 88 FR

41962). See Attachment A for the revised version.

2. Purpose and Use of the Information Collection

The primary purpose of the information submitted in the CCDF Plan using the Preprint is to determine whether the Lead Agency is implementing the CCDF program in accordance with requirements so that CCDF funding can be authorized, as required in Section 658E(d) of the 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 federal policies and is fully implementing its CCDF-funded program. In addition, the information contained in the State and Territory Plans helps the OCC identify trends in the child care field, promising practices, areas that need support 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 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 balance of using check boxes and narratives to respond, and expedites timely reviews by ACF staff. Because the 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 Preprint and Plan development process gives the public an opportunity to provide States and Territories feedback on their plans to provide child care services under CCDF. 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, streamlined numbering and headings) 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 June 28, 2023, Volume 88, Number 123, page 41962, and provided a sixty-day period for public comment. During the notice and comment period, 372 comments were received, a summary of which is attached.

During the notice and comment period, OCC received a total 372 comments from 20 entities. Several school-age organizations (both national and state/regional) submitted identical, or very similar, comments. As such, there are 261 unduplicated comments.

Commenters included:

- Lead Agencies (3)
- State Department of Health (1)
- National Advocacy Organizations (13)
- State-wide Advocacy Organizations (1)
- National TA Center (1)
- Private citizen (1)

In addition, OCC consulted with Lead Agencies during multiple opportunities in alignment with the public comment period. This included three regional meetings in May/June 2024

and our annual State and Territory Administrator’s Meeting (STAM) in August 2024.

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, and to reorganize sections of the Preprint to emphasize the most critical information required from grantees.

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. For example commentors expressed appreciation for opportunities to include information on future plans and strategic initiatives to achieve full compliance.
- Comments which resulted in edits: Requests for additional editing or wording changes. A number of comments suggested edits to clarify proposed Preprint refinements.

In response to feedback from current grantees for how to address any identified non-compliances, OCC has added a standardized template for states and territories to submit as their 60-day response to preliminary notices of plan non-compliances. CCDF regulations allow Lead Agencies to provide a response within 60 days to preliminary notices of non-compliance. This template has been added as Appendix 1: Lead Agency Implementation Plan to the CCDF Plan Preprint. This standard response template will help create a consistent process across states to build a shared understanding between OCC and Lead Agency on what elements of the provision are unmet, allow the state flexibility to outline its steps and associated timeline needed to fully implement those unmet elements, and provide a mechanism for requesting technical assistance and resources to support full implementation.

- 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. OCC has developed training tools and crosswalks that can help each state customize their child care program in relation to CCDF requirements to assist with developing their Plan submission.

- 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 Preprint and Plan response training framework that is currently in development.

A full summary of comments and OCC responses is included as Attachment B: Summary of Public Comments.

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

There are currently 56 State and Territory Lead Agencies administering a CCDF program. The public reporting burden for this information collection is estimated to average 150 hours per response. This includes the time for Lead Agencies to review instructions, gather and maintain the data needed, and complete the CCDF Preprint once every three years. The burden estimate has been reduced from 200 to 150 based on the described revisions to the Preprint.

The cost to respondents was calculated using the Bureau of Labor Statistics (BLS) job code for Social and Human Services Assistants [21-1093] and mean hourly wage data from May 2022, which is \$20.00 per hour (https://www.bls.gov/oes/current/oes_stru.htm). To account for fringe benefits and overhead the rate was multiplied by two which is \$40.00. Total cost is projected to be approximately \$112,000 (2,800 * \$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	150	8,400	2,800	\$40	\$112,000

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. Consistent with previous formats, the Preprint includes a combination of check boxes, certifications, and requests for descriptive information. Revisions have been made, as described earlier, to elevate CCDF implementation priorities, simplify questions to reduce burden, align the collection with the monitoring process, and to respond to comments received from the public. The burden estimate has been reduced from 200 to 150 based on the described revisions to the Preprint.

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.