

Texas Child Care Development Fund (CCDF) Plan with Conditional Approval Letter for FY 2016-2018
Date: Monday, June 27, 2016

The Office of Child Care (OCC) is pleased to release the PDF (Portable Document Format) copy of the approved FY 2016-2018 Texas CCDF Plan that became effective June 1, 2016 and the conditional approval letter. The Plan serves as the application for CCDF funds by providing a description of, and assurance about, the grantee's child care program and all services available to eligible families. OCC asked States and Territories to write their Plans based on a reasonable interpretation of the Act, pending completion of a final regulation. States and Territories had the option to outline an implementation plan for one or all of the 26 new areas if the State/Territory was not yet able to certify compliance. Thus, these Plans are conditionally approved until each State/Territory fully implements all new requirements of the CCDBG Act of 2014. The OCC will partner with States and Territories to support and monitor the successful and timely implementation of all provisions of the Act. As provided for in the applicable statutes and regulations, the Lead Agency has the flexibility to amend their program at any time. All amendments must be submitted to OCC for approval within 60 days of the effective of the change.

Please find the following two documents within this PDF:

2016-2018 Texas CCDF Plan Conditional Approval Letter – OCC issued a letter with the conditions of approval for each State and Territory. In reviewing plans and waiver/extension requests, OCC gave careful consideration to the statutory conditions outlined in the Act, as well as the length of time requested, with the goal of having all provisions related to the Act fully implemented by October 1, 2018 corresponding to the start of the FY2019-2021 CCDF Plan period. The approval letter covers the CCDF Plan for the period of June 1, 2016, through September 30, 2018. A “conditionally approved” plan is a fully approved plan with conditions to be met based on waiver requests, if applicable, and implementation and corrective action plans for unmet requirements. The conditions will be deemed fully met once all provisions in the Child Care and Development Block Grant (CCDBG) Act of 2014 are fully implemented.

2016-2018 Texas CCDF Plan - The Plan describes the CCDF program to be administered by Texas for the period 6/1/2016 – 9/30/2018 as conditionally approved by OCC. The Plan serves as the application for CCDF funds by providing a description of, and assurance about, the grantee's child care program and all services available to eligible families. As provided for in the applicable statutes and regulations, the Lead Agency has the flexibility to modify this program at any time, including amending the options selected or described. For purposes of simplicity and clarity, the specific provisions of applicable laws printed therein are sometimes paraphrases of, or excerpts and incomplete quotations from, the full text.

NOTE: *The CCDF Plan reflects the services and activities as reported by the Texas Lead Agency in their CCDF Plans for Fiscal Years 2016-2018. The CCDF Plans offer a snapshot into current and planned efforts, initiatives and implementation plans for each State/Territory through September 30, 2018. These Plans are not a catalog of all activities undertaken by the State/Territory. Administration for Children and Families (ACF) is not responsible for the contents of these CCDF plans.*



ADMINISTRATION FOR
CHILDREN & FAMILIES

330 C Street, S.W., Washington DC 20201 | www.acf.hhs.gov

June 14, 2016

Larry E. Temple, Executive Director
Texas Workforce Commission
101 East 15th Street
Austin, Texas 78778-0001

Dear Director Temple:

The Office of Child Care (OCC) recognizes that there are many new requirements included in the Child Care and Development Block Grant (CCDBG) Act of 2014 that you are working to implement during this Plan period. We appreciate the time and energy that you put into developing your Child Care and Development Fund (CCDF) Plan to reform and effectively administer your program. I am pleased to inform you that the Texas CCDF Plan for the period of June 1, 2016, through September 30, 2018, has been conditionally approved. A "conditionally approved" plan is a fully approved plan with conditions to be met based on your waiver requests, if applicable, and implementation plans for unmet requirements. The conditions will be deemed fully met once all provisions in the CCDBG Act of 2014 are fully implemented and implementation plan action steps are completed. At that time the Texas CCDF Plan will be approved without conditions. OCC gave careful consideration to the statutory conditions outlined in the Act, as well as the length of time requested, with the goal of having all provisions related to the Act fully implemented by October 1, 2018 corresponding to the start of the FY2019-2021 CCDF Plan period.

Key principles of the CCDF are to provide equal access to child care for children receiving child care assistance and to ensure parental choice. Provider payment rates set too low undermine these principles. As you are aware, the CCDBG Act of 2014 requires states and territories to take the cost of quality into account when setting rates, and to set rates based on the results of the most recent market rate survey or alternative methodology. We continue to be concerned that your rates may not allow for equal access. OCC plans to make review of payment rates a priority for our upcoming

implementation monitoring visits. Thus, the conditional approval of your Plan **does not** constitute a final determination that your payment rates are sufficient to provide access to child care services for eligible families that are comparable to those provided to families that do not receive subsidies, as required by law.

You will receive a Notice of Grant Award in October 2016 from the Office of Administration in the Administration for Children and Families. The notice will include the amount of your award and any additional terms and conditions for the receipt of CCDF program funds. During the effective period of this plan, any substantial changes to the Texas program must be submitted as a plan amendment to your Regional Office for approval in accordance with 45 CFR 98.18(b).

We remind you that your CCDF-funded child care program for in-home providers must comply with all applicable Federal laws and regulations, including Federal wage and income tax laws governing domestic workers. Questions regarding Federal wage laws should be directed to your local or district office of the Wage and Hour Division within the U.S. Department of Labor. Likewise, questions regarding Federal income tax laws should be directed to your local or district office of the Internal Revenue Service.

We look forward to working together toward implementation of the CCDBG Act of 2014 and promoting the early learning and development of children along with family economic stability and success. If you have any questions, please contact Gwendolyn Jones, Child Care Program Manager, Office of Child Care at (214) 767-3849 or Gwendolyn.jones@acf.hhs.gov. Thank you for all you do each day for children and families.

Sincerely,

Rachel Schumacher
Director
Office of Child Care

cc: Patricia Gonzalez, Deputy Director, Workforce Development Division
Phil Warner, Manager, Child Care Services
Gwendolyn Jones, Regional Program Manager, Office of Child Care Region VI

Child Care and Development Fund (CCDF) Plan For Texas FFY 2016-2018

1 Define CCDF Leadership and Coordination with Relevant Systems

Implementation of the requirements of the CCDBG Act of 2014 will require leadership and coordination between the child care assistance program and other child- and family-serving agencies, services, and supports at the state and local levels. ACF recognizes that each grantee must identify the most appropriate entities and individuals to lead and participate in implementation based on the context within that State or Territory. This will include those that manage various components of CCDF-funded activities and requirements (fiscal, subsidy, health and safety monitoring, and continuous quality improvement) as well as other public and private partners.

This section collects information to help ACF understand the stakeholders convened and consulted to develop the Plan, where authority lies to make policy decisions and program changes, and who is responsible for implementing the blueprint for action the Plan describes. For example, the law requires that, at the option of the Tribes, State/Territory Lead Agencies must collaborate and coordinate with Indian tribes or tribal organizations in the State in a timely manner in the development of the CCDF Plan. ACF expects that new requirements in the law will necessitate that grantees build partnerships with other agencies and organizations to better link the children and families receiving financial assistance to information, services and resources regarding other programs for which they may be eligible, including developmental screenings for children, and other resources (also in section 2). In addition, States and Territories must describe how public-private partnerships are being used to increase the supply and quality of child care services.

1.1 CCDF Leadership

The Governor of a State or Territory shall designate an agency (which may be an appropriate collaborative agency), or establish a joint inter-agency office, to represent the State (or Territory) as the Lead Agency. The Lead Agency agrees to administer the program in accordance with applicable Federal laws and regulations and the provisions of this Plan, including the assurances and certifications appended hereto. (658D, 658E(c)(1))

1.1.1 Which Lead Agency is designated to administer the CCDF program?

Identify the Lead Agency or joint inter-agency office designated by the State/Territory. ACF will send official grant correspondence such as grant awards, grant adjustments, Plan approvals, and disallowance notifications to the designated contact identified here. (658D(a))

Name of Lead Agency: [Texas Workforce Commis](#)

Address of Lead Agency: [101 East 15th Street, Austin, Texas 78778-0001](#)

Name and Title of the Lead Agency Official: [Larry E. Temple, Executive Director](#)

Phone Number: [\(512\) 463-0735](#)

E-Mail Address: Larry.Temple@twc.state.tx.us

Web Address for Lead Agency (if any): www.texasworkforce.org

1.1.2 Who is the CCDF administrator?

Identify the CCDF administrator designated by the Lead Agency, the day-to-day contact, with responsibility for administering the State/Territory's CCDF program. ACF will send programmatic communications such as program announcements, program instructions, and data collection instructions to the designated contact identified here. If there is more than one designated contact with equal or shared responsibility for administering the CCDF program, please identify the co-administrator or entity with administrative responsibilities and include contact information.

a) Contact Information for CCDF Administrator:

Name of CCDF Administrator: [Patricia Gonzalez](#)

Title of CCDF Administrator: [Deputy Director, Workforce Development Division](#)

Address of CCDF Administrator: [101 East 15th Street, Room 504GT; Austin, Texas 78778-0001](#)

Phone Number: [\(512\) 936-9256](tel:5129369256)

E-Mail Address: patricia.gonzalez@twc.state.tx.us

b) Contact Information for CCDF Co-Administrator (if applicable):

Name of CCDF Co-Administrator: [Phil Warner](#)

Title of CCDF Co-Administrator: [Manager, Child Care Services](#)

Phone Number: [\(512\) 936-3226](tel:5129363226)

E-Mail Address: philip.warner@twc.state.tx.us

Description of the role of the Co-Administrator:

To act on behalf of the State Administrator

c) Primary Contact Information for the CCDF Program:

Phone Number for CCDF program information (for the public) (if any): [2-1-1](tel:2141)

Web Address for CCDF program (for the public) (if any): www.texasworkforce.org

Web Address for CCDF program policy manual (if any): <http://twc.state.tx.us/child-care-services-guide>

Web Address for CCDF program administrative rules (if any):
<http://www.twc.state.tx.us/twcinfo/rules/ch809.pdf>

1.1.3 Identify the agency/department/entity that is responsible for each of the major parts of CCDF administration and the name of the lead contact responsible for managing this portion of the Plan.

Outreach and Consumer Education (section 2)

Agency/Department/Entity [Texas Workforce Commission](#)

Name of Lead Contact [Patricia Gonzalez](#)

Subsidy/Financial Assistance (section 3 and section 4)

Agency/Department/Entity [Texas Workforce Commission](#)

Name of Lead Contact [Patricia Gonzalez](#)

Licensing/Monitoring (section 5)

Agency/Department/Entity [Department of Family and Protective Services](#)

Name of Lead Contact [Lana Estevilla](#)

Child Care Workforce (section 6)

Agency/Department/Entity [Texas Workforce Commission](#)

Name of Lead Contact [Patricia Gonzalez](#)

Quality Improvement (section 7)

Agency/Department/Entity [Texas Workforce Commission](#)

Name of Lead Contact [Patricia Gonzalez](#)

Grantee Accountability/Program Integrity (section 8)

Agency/Department/Entity [Texas Workforce Commission](#)

Name of Lead Contact [Patricia Gonzalez](#)

[1.2 CCDF Policy Decision Authority](#)

The Lead Agency has broad authority to administer (i.e., establish rules) and operate (i.e., implement activities) the CCDF program through other governmental, non-governmental, or other public or private local agencies as long as it retains overall responsibility for the administration of the program. (658D(b))

[1.2.1 Which of the following CCDF program rules and policies are set or established at the State/Territory versus the local level?](#)

In other words, identify whether CCDF program rules and policies are established by the state

or territory (even if administered or operated locally) or whether the CCDF policies or rules are established by local entities (such as counties or workforce boards) setting those policies. Check one.

- All program rules and policies are set or established at the State/Territory level.
- Some or all program rules and policies are set or established by local entities. If checked, indicate which entities establish the following policies. Check all that apply.
 - Eligibility rules and policies (e.g., income limits) are set by the:
 - State/Territory
 - County.

If checked, describe the type of eligibility policies the county can set

- Other local entity (e.g., workforce boards, early learning coalitions).
If checked, identify the entity (e.g. workforce board) and describe the type of eligibility policies the local entity(ies) can set

[Texas Workforce Commission \(TWC\) Child Care Services rule §809.13 \(Section B-300 of the Child Care Services Guide\) requires Local Workforce Development Boards \(Boards\) to establish the following policies regarding eligibility:](#)

- ***Family income limits (not to exceed TWC's maximum income limit in rule);***
- ***Provision of child care services to a child with disabilities up to the age of 19;***
- ***Minimum activity requirements for parents (if higher than TWC's minimum activity requirements);***
- ***Time limits for the provision of child care while the parent is attending an educational program;***
- ***Board priority groups;***
- ***Attendance standards and procedures (in compliance with TWC rules and policy);***
- ***Procedures for imposing sanctions when a parent fails to comply with the provisions of the parent responsibility agreement (PRA); and***
- ***Mandatory waiting period for reapplying or being placed on the waiting list for child care services.***

Other.

Describe:

Sliding fee scale is set by the:

State/Territory

County

If checked, describe the type of sliding fee scale policies the county can set

Other local entity (e.g., workforce boards, early learning coalitions).

If checked, identify the entity (e.g. workforce board) and describe the type of sliding fee scale policies the local entity(ies) can set

TWC Child Care Services rule §809.19(a)(1)(B) ([Section B-600 of the Child Care Services Guide](#)) requires Local Workforce Boards to set the parent share of cost based on the family's size and gross monthly income; Boards also may consider the number of children in care.

Other.

Describe:

Payment rates are set by the:

State/Territory

County.

If checked, describe the type of payment rate policies the county can set

Other local entity (e.g., workforce boards, early learning coalitions).

If checked, identify the entity (e.g. workforce board) and describe the type of payment rate policies the local entity(ies) can set

TWC Child Care Services rule §809.20(a) ([Section B-700 of the Child Care Services Guide](#)), requires Local Workforce Boards to set payment rates based on local factors, including a market rate survey provided by TWC. Boards are required to establish maximum reimbursement rates for child care subsidies to ensure that the rates provide equal access to child care in the local market and in a manner consistent with state and federal statutes and regulations governing child care.

Additionally, payment rates must allow the Board to meet performance targets for the number of children served, as determined by TWC based on statewide

targets established by the Texas legislature. As described further in Section 4.4, on a monthly basis, TWC reviews Board performance for the number of children served as well as the percentage of providers in the state that serve subsidized children.

Other.

Describe:

Other.

List and describe (e.g., quality improvement systems, payment practices):

Local Workforce Boards must develop procedures for payment practices that include frequency of payments and selecting the entity that issues the payments.

1.2.2 How is the CCDF program operated in your State/Territory?

In other words, which agency(ies) implement or perform these CCDF services and activities and how will the State/Territory ensure that Federal CCDF requirements are fully implemented by other governmental or nongovernmental agencies. ACF recommends minimizing differences in eligibility or other policies across counties or other jurisdictions to ease family burden and confusion. Check all that apply. and describe the services performed by the entity and how the State/Territory ensures accountability that federal requirements are fully implemented by other agency(ies).

a) Who determines eligibility?

CCDF Lead Agency

TANF agency

Describe.

Other State/Territory agency.

Describe.

Local government agencies such as county welfare or social services departments

Describe.

Child care resource and referral agencies

Describe.

Community-based organizations

Describe.

Other.

Describe.

As described in [Section B-100 of the Child Care Services Guide](#), Local Workforce Development Boards (Boards) are responsible for administration of the state's subsidized child care program, including ensuring that eligibility determination is conducted in compliance with federal and state requirements.

Upon request, a Board (or the Board's contractor) must provide the Texas Workforce Commission (TWC) with access to child care administration records and submit related information for review and monitoring, pursuant to TWC rules and policies.

b) Who assists parents in locating child care (consumer education)?

CCDF Lead Agency

TANF agency

Describe.

CCDF Lead Agency: Consumer education information is available through TWC's parent portal at www.texaschildcaresolutions.org.

TANF Agency: The Texas Health and Human Services Commission's (HHSC) 2-1-1 Texas assists parents in locating child care and early education services.

Other State/Territory agency.

Describe.

Parents can search for child care through the Texas Department of Family and Protective Services (DFPS) website.

- Local government agencies such as county welfare or social services departments

Describe.

Boards provide child care information to parents applying for or receiving subsidized child care.

- Child care resource and referral agencies

Describe.

Boards may contract with local child care resource and referral organizations to provide child care information.

- Community-based organizations

Describe.

- Other.

Describe.

Consumer education information is available through TWC's parent portal at www.texaschildcaresolutions.org.

Board child care contractors assist parents in locating child care.

c) Who issues payments?

- CCDF Lead Agency

- TANF agency

Describe.

- Other State/Territory agency.

Describe.

- Local government agencies such as county welfare or social services departments

Describe.

- Child care resource and referral agencies

Describe.

Community-based organizations

Describe.

Other.

Describe.

Boards or Board child care contractors issue payments to providers. Note: Child Care Contractor, defined in Section A-100 of the Child Care Services Guide, is the entity or entities under contract with the Board to manage child care services. This includes contractors involved in determining eligibility for child care services, contractors involved in the billing and reimbursement process related to child care subsidies, and contractors involved in the funding of quality improvement activities.

1.3 Consultation in the Development of the State Plan

The Lead Agency is responsible for developing the CCDF plan which serves as the application for a three-year implementation period. In the development of the CCDF plan, the Lead Agency shall consult with appropriate representatives of units of general purpose local government. (658D(b)(2)) General purpose local governments is defined by the U.S. Census at https://www.census.gov/newsroom/cspan/govts/20120301_cspan_govts_def_3.pdf The CCDBG Act of 2014 added a requirement that States consult with the State Advisory Council on Early Childhood Education and Care (pursuant to 642B(b)(1)(A)(i) of the Head Start Act). 658E(c)(2)(R) In addition, States shall, at the option of an Indian tribe or tribal organization in the State, collaborate and coordinate with such Indian tribe or tribal organization in the development of the State plan in a timely manner. (658D (b)(1)(E))

1.3.1 Check who and describe how the Lead Agency consulted with these entities in the development of the CCDF Plan (check all that apply).

For example, did the entity participate in a drafting committee, review drafts, sign off on the final version, or develop a memorandum of understanding with the Lead Agency to meet requirements to share information or services for CCDF subsidy families, or other manner of participation? This list includes entities required by law along with a list of optional CCDF Plan consultation partners that Lead Agencies potentially would consult with in their developing their

CCDF Plan.

- [REQUIRED] Appropriate representatives of general purpose local government, which can include counties, municipalities or townships/towns

Describe:

Local Workforce Development Board (Board) members are appointed by Chief Elected Officials (CEOs) in the workforce area (and certified by TWC). Boards are statutorily created public entities, recognized by state statute as local governmental entities, and Board members are considered public officials. TWC staff are members of Boards as the required public employment service representative. The CEOs and the Board Chair to enter into a partnership agreement that define the their operating relationship.

The Board Executive Director (ED) is responsible for administering the operations of the Board staff. The three TWC Commissioners, as well as TWC Agency staff consult with Board EDs on a regular basis regarding all aspects of workforce services, which includes child care services. TWC staff meet with Board EDs on a monthly basis through the Board ED Council. Board staff is consulted on a regular basis regarding TWC rules, policies, and procedures that are included in the State Plan. This consultation includes biweekly conference calls with Board EDs, quarterly workforce forums, and quarterly child care network meetings. Additionally, Board child care staff participates in ad hoc workgroups regarding implementation of new initiatives.

- [REQUIRED IF APPLICABLE] State Advisory Council on Early Childhood Education and Care (pursuant to 642B(b)(1)(A)(i) of the Head Start Act).

Describe:

If checked, does the Lead Agency have official representation and a decision-making role in the State Advisory Council?

- Yes,
 No.

If no State Advisory Council on Early Childhood Education and Care (pursuant to 642B(b)(1)(A)(i) of the Head Start Act) exists in your State/Territory, describe how you consulted with any other state- or state-designated cross-agency body such as an advisory council, cross-agency commission, or council or cabinet related to child and family planning and policy

TWC consulted with the Texas Department of Family and Protective Services (DFPS) Child Care Licensing (CCL), the Texas Education Agency (TEA) Early Childhood Education, the Children's Learning Institute (CLI), and the Texas Head Start Collaboration Office (THSCO) in the development of the plan.

DFPS CCL was primarily responsible for completing Part 5, related to child care health and safety standards, and assisted in completing Part 6, related to the child care workforce and professional development. TWC also consulted with DFPS CCL on emergency preparedness for Part 1 and on the quality improvement system for Part 7.

TWC consulted with TEA's Statewide Coordinator for Early Childhood Education, CLI, and THSCO in completing Part 6, related to child care workforce and professional development, and Part 7, related to quality improvement systems.

Additionally, TWC has quarterly conference calls with these four agencies to discuss child care and early education initiatives in the state, as well as the implementation of the plan and the development of the quality performance report.

[REQUIRED] Indian tribe(s) and/or tribal organization(s), at the option of individual Tribes.

Describe, including which Tribe(s) you consulted with

TWC sent the draft State Plan to each of the three tribes, Alabama-Coushatta, Kickapoo, and Ysleta del Sur Pueblo, to solicit their input on its contents during the public comment period.

Check N/A if no Indian Tribes and/or Tribal organizations in the State

State/Territory agency responsible for public education.

Describe:

As described above, TEA provided input to TWC on Part 6, regarding training and professional development of the child care workforce, and the early learning and developmental guidelines.

- State agency/agencies responsible for programs for children with special needs, including early intervention programs authorized under the Individuals with Disabilities Education Act (Part C for infants and toddlers and Section 619 for preschool).

Describe:

TWC consulted with the Department of Assistive and Rehabilitative Services, Early Childhood Intervention (ECI) program regarding policies and procedures for developmental screenings.

- State/Territory institutions for higher education, including community colleges.

Describe:

- State/Territory agency responsible for child care licensing.

Describe:

As described above, DFPS CCL was consulted on the development of the plan.

- State/Territory office/director for Head Start State collaboration

Describe:

As described above, THSCO was consulted in the development of the plan.

- State/Territory/local agencies with Early Head Start-Child Care Partnerships grants.

Describe:

As described above, THSCO was consulted in the development of the plan

- State/Territory agency responsible for Child and Adult Care Food Program (CACFP).

Describe:

- State/Territory agency responsible for WIC, nutrition (including breast-feeding support), and childhood obesity prevention

Describe:

- Other Federal, State, local and/or private agencies providing early childhood and school-age/youth serving developmental services.

Describe:

- State/Territory agency responsible for implementing the Maternal and Child Home Visitation programs grant

Describe:

- Agency responsible for Medicaid/Early and Periodic Screening, Diagnostic and Treatment (EPSDT).

Describe:

- McKinney-Vento State coordinators for Homeless Education.

Describe:

- State/Territory agency responsible for public health.

Describe:

- State/Territory agency responsible for mental health.

Describe:

- State/Territory agency responsible for child welfare.

Describe:

- State/Territory liaison for military child care programs.

Describe:

- State/Territory agency responsible for employment services/workforce development.

Describe:

TWC is the state agency responsible for employment services and workforce development.

- State/Territory agency responsible for Temporary Assistance for Needy Families (TANF).

Describe:

State/community agencies serving refugee or immigrant families.

Describe:

Child care resource and referral agencies.

Describe:

Provider groups or associations.

Describe:

Worker organizations.

Describe:

Parent groups or organizations.

Describe:

Other.

Describe:

1.3.2. Describe the Statewide/Territory-wide public hearing process held to provide the public an opportunity to comment on the provision of child care services under this Plan (658D(b)(1)(C)).

Lead Agencies are required to hold at least one public hearing in the State/Territory with sufficient State/Territory-wide distribution of notice prior to such hearing to provide the public an opportunity to comment on the provision of child care services under the CCDF Plan. At a minimum, the description should include:

a) Date(s) of notice of public hearing: [09/16/2015](#)

Reminder - Must be at least 20 calendar days prior to the date of the public hearing.

b) How was the public notified about the public hearing, including how notice was accessible for people with disabilities? Please include website links if utilized to provide notice.

On September 16, 2015, TWC sent an e-mail with the dates and locations of the hearings to all child care providers with an agreement to serve subsidized children, child care stakeholders, and Boards. TWC also placed notice of the public hearings on its website at www.twc.state.tx.us and issued a press release on September 16, 2015. All information placed on the website is accessible to individuals with disabilities.

Additionally, TWC published notice of the public hearing with the Texas Secretary of State on November 18, 2015. On this date, TWC also posted the draft State Plan on TWC's website and sent an e-mail informing all child care providers, stakeholders, and Boards of the availability of the draft State Plan, along with the public hearing dates and locations. All information placed on the TWC website is accessible to individuals with disabilities.

c) Date(s) of public hearing(s): 12/03/2015

Reminder - Must be no earlier than September 1, 2015 which is 9 months prior to the June 1, 2016 effective date of the Plan.

d) Hearing site(s) or method(s), including how geographic regions of the State/Territory were addressed McAllen, Texas (12/03/15); Austin, Texas (12/08/15); Dallas, Texas (12/16/15)

e) Describe how the content of the Plan was made available to the public in advance of the public hearing(s) TWC placed the content of the draft State Plan on its website at twc.state.tx.us.

f) How will the information provided by the public be taken into consideration in the provision of child care services under this Plan? TWC reviews and considers all public comments for plan modification, if necessary.

1.3.3 Describe the strategies used by the Lead Agency to make the CCDF Plan and Plan Amendments available to the public. Check all that apply and describe the strategies below, including any relevant links as examples.

Working with advisory committees.

Describe:

Working with child care resource and referral agencies.

Describe:

Providing translation in other languages.

Describe:

Making available on the Lead Agency website.

List the website:

www.twc.state.tx.us

Sharing through social media (Twitter, Facebook, Instagram, email, etc.).

Describe:

The draft State Plan and notifications of the public hearings were shared with the public using TWC's Twitter account.

Providing notification to stakeholders (e.g., provider groups, parent groups).

Describe:

Providers and stakeholders are e-mailed notification of the availability of the draft State Plan and information on the public hearings.

Other.

Describe:

The State Plan contains TWC child care rules, Board child care policies, and other applicable agency rules. By state law, the public is given notice of rule changes and the opportunity for public input. Additionally, TWC requires Boards to post policy changes for public input at an open meeting. Rule and policy changes are incorporated into any plan amendments.

1.4 Coordination with Partners to Expand Accessibility and Continuity of Care

The CCDBG Act of 2014 added a requirement that the Plan describe how the State/Territory will efficiently, and to the extent practicable, coordinate child care services supported by CCDF with programs operating at the Federal, State/Territory, and local levels for children in the programs listed below.

1.4.1 Check who and describe how your State/Territory coordinates or plans to efficiently coordinate child care services with the following programs to expand accessibility and continuity of care, and assist children enrolled in early childhood programs to receive full-day services that meet the needs of working families. (658E(c)(2)(O))

Please describe the goals of this coordination, such as extending the day or year of services for families; smoothing transitions for children between programs or as they age into school, enhancing and aligning quality of services, linking comprehensive services to children in child care settings or developing supply of quality care for vulnerable populations. NOTE that this list appears similar to the list provided in 1.3.1 which focused on consultation for purposes of developing the CCDF Plan, however, this list includes entities required by law, along with a list of optional CCDF Plan coordination partners that Lead Agencies potentially would coordinate with over the next 3 years to expand accessibility and continuity of care, and assist children enrolled in early childhood programs to receive full-day services. Check and describe all that apply.

- [REQUIRED] Programs operating at the Federal, State and local levels for children in pre-school programs (e.g., state-or locally-funded pre-k, Head Start, school-based programs, public and private preschools, programs serving preschool children receiving special education services, etc.).

Describe:

Local Workforce Development Boards (Boards) coordinate with private and public child care preschool programs, school-based programs, and programs serving preschool children receiving special education services. Boards also work with local Early Head Start and Head Start programs on coordination of child care services. The goals of this coordination are to ensure, to the greatest extent practicable, that full-day, full-year child care is available to meet the needs of low-income parents who are working or attending a job training or educational program. Section B-202 of the Child Care Services Guide describe the requirements for local coordination for service delivery.

- [REQUIRED IF APPLICABLE] Tribal early childhood programs.

Describe, including which Tribes coordinating with:

As requested by the Alabama-Coushatta, Kickapoo, and Ysleta del Sur Pueblo tribes, Boards coordinate with tribal early childhood programs, on child care services.

- Check N/A if no Indian Tribes and/or Tribal organizations or programs in the State.

- [REQUIRED] Other Federal, State, local early childhood programs serving infants and toddlers with disabilities.

Describe:

TWC is an ex-officio member of the Early Childhood Intervention (ECI) Advisory Council and works with ECI to provide information to parents and providers on state resources available for developmental screenings and other services for infants and toddlers with disabilities. Boards coordinate services with local early childhood programs serving infants and toddlers with disabilities, including local Early Childhood Intervention (ECI) service providers. Local coordination includes working with ECI when appropriate to provide ECI services for children at child care facilities and conducting conferences and trainings to providers and parents regarding services for infants and toddlers with disabilities.

- [REQUIRED] Early childhood programs serving homeless children (as defined by the McKinney-Vento Homeless Education Assistance Act).

Describe:

Boards coordinate with local homeless shelters and organizations serving homeless families. Boards also work with local independent school districts to identify and provide outreach to homeless children served by public schools. This coordination is also in conjunction with workforce services to homeless families through the Workforce Innovation and Opportunities Act (WIOA).

- [REQUIRED] Early childhood programs serving children in foster care.

Describe:

TWC works with the Texas Department of Family and Protective Services (DFPS) Child Protective Services (CPS) to provide CCDF-funded child care services for foster parents. Boards coordinate with local CPS offices to authorize care for children in the foster care system.

- State/Territory agency responsible for child care licensing.

Describe:

TWC works with DFPS Child Care Licensing to ensure that child care providers serving TWC-subsidized children meet health and safety requirements.

- State/Territory agency with Head Start State collaboration grant.

Describe:

TWC works with the director of the Texas Head Start Collaboration Office (THSCO) as necessary regarding coordination with Early Head Start and Head Start programs and

initiatives.

State Advisory Council authorized by the Head Start Act.

Describe:

State/Territory/local agencies with Early Head Start-Child Care Partnerships grants.

Describe:

Boards work with local Early Head Start-Child Care Partnership (EHS-CCP) grantees and child care providers participating in the EHS-CCP grant to expand full-day, full-year services to children eligible for EHS and subsidized child care services.

McKinney-Vento State coordinators for Homeless Education or local educational agency McKinney-Vento liaisons

Describe:

TWC works with the Texas Education Agency state coordinator for Homeless Education and the Texas Homeless Education Office to develop training materials for providers to assist in identifying and providing services to children experiencing homelessness.

Child care resource and referral agencies.

Describe:

State/Territory agency responsible for public education.

Describe:

To coordinate services for prekindergarten and school-age children, TWC works with the Texas Education Agency (TEA) and Boards work with local school districts.

State/Territory institutions for higher education, including community colleges.

Describe:

TWC works with the University of Houston's Children's Learning Institute and AgriLife (affiliated with Texas A&M) to coordinate training opportunities.

State/Territory agency responsible for Child and Adult Care Food Program (CACFP).

Describe:

- State/Territory agency responsible for WIC, nutrition (including breast-feeding support), and childhood obesity prevention.

Describe:

- Other Federal, State, local and/or private agencies providing early childhood and school-age/youth serving developmental services.

Describe:

TWC is an ex officio member of the Early Childhood Intervention (ECI) Advisory Council. ECI is a statewide program for families with children aged birth to three years who have disabilities and developmental delays. ECI provides support to families to help their children reach their potential through developmental services.

- State/Territory agency responsible for implementing the Maternal and Childhood Home Visitation programs grant.

Describe:

Boards coordinate services with local Maternal, Infant, and Early Childhood Home Visitation Program grantees to identify potential families who may benefit from the program.

- Agency responsible for Medicaid/Early and Periodic Screening, Diagnostic and Treatment (EPSDT).

Describe:

- State/Territory agency responsible for public health.

Describe:

- State/Territory agency responsible for mental health.

Describe:

- State/Territory agency responsible for child welfare.

Describe:

TWC works with DFPS CPS to fund child care services for children receiving protective services. Boards coordinate with local CPS offices to authorize care for children in protective services.

- State/Territory liaison for military child care programs.

Describe:

State/Territory agency responsible for employment services/workforce development.

Describe:

TWC is the agency responsible for employment services and workforce development.

State/Territory agency responsible for Temporary Assistance for Needy Families (TANF).

Describe:

Boards coordinate with offices of the Texas Health and Human Services Commission for the provision of child care services to parents receiving Temporary Assistance for Needy Families (TANF) and participating in Choices, the TANF employment and training program.

State/Territory community agencies serving refugee or immigrant families

Describe:

Provider groups or associations.

Describe:

TWC participates in the Advisory for Texas Partnership for Out of School Time (TXPOST). TXPOST is a statewide network of nonprofit, public, and private sector partners dedicated to increasing the quality and availability of out-of-school time opportunities for Texas youth.

Worker organizations.

Describe:

Parent groups or organizations.

Describe:

TWC provides information on TWC's child care services to Texans Care for Children, a policy advocacy group, for public dissemination to educate parents and other interested parties on quality and subsidized child care in Texas.

Other.

Describe:

1.5 Optional Use of Combined Funds

The CCDBG Act of 2014 added a provision that States and Territories have the option to combine funding for CCDF child care services with funding for any of the required programs listed in 1.4.1. These include programs operating at the Federal, State and local levels for children in preschool programs, tribal early childhood programs, and other early childhood programs, including those serving infants and toddlers with disabilities, homeless children, and children in foster care. (658E(c)(2)(O))(ii) Combining funds could include blending multiple funding streams, pooling funds, or layering funds together from multiple funding streams in an effort to expand and/or enhance services for children and families to allow for delivery of comprehensive high quality care that meets the needs of children and families. For example, State/Territory agencies may use multiple funding sources to offer grants or contracts to programs to deliver services; a State/Territory may allow county/local government to use coordinated funding streams; or policies may be in place that allow local programs to layer CCDF funds with additional funding sources to pay for full-day, full-year child care that meets Early Head Start/Head Start or State/Territory pre-kindergarten requirements in addition to State/Territory child care licensing requirements. As a reminder, per the OMB Compliance Supplement governing audits

(https://www.whitehouse.gov/omb/circulars/a133_compliance_supplement_2014), CCDF funds may be used in collaborative efforts with Head Start (CFDA 93.600) programs to provide comprehensive child care and development services for children who are eligible for both programs. In fact, the coordination and collaboration between Head Start and the CCDF is mandated by sections 640(g)(2)(D) and (E), and 642(c) of the Head Start Act (42 USC 9835(g)(2)(D) and (E); 42 USC 9837(c)) in the provision of full working day, full calendar year comprehensive services (42 USC 9835(a)(5)(v)). In order to implement such collaborative programs, which share, for example, space, equipment or materials, grantees may blend several funding streams so that seamless services are provided.

1.5.1 Will you combine CCDF funds with the funds for any program with which you coordinate (described in 1.4.1)?

Yes, If yes, describe at a minimum:

How do you define "combine"

Non-CCDF funds are included with CCDF funds in allocations to Local Workforce Development Boards (Boards) for the provision of qualifying direct child care services or child care quality improvement activities.

Which funds will you combine

\$2,000,000 of TANF transferred to Title XX, local donations, and state general revenue funds for child care services. Also, Title IV-B, Title IV-E, and Title XX funds are combined with CCDF funds transferred to DFPS CPS and combined with state general revenue funds to provide child care services for children in protective services and children in foster care.

Goal(s) of combining funds (why?) and expected outcomes, such as extending the day or year of services available (i.e., full-day, full-year programming for working families), smoothing transitions for children, enhancing and aligning quality of services, linking comprehensive services to children in child care or developing the supply of child care for vulnerable populations

Title IV-B, Title IV-E, Title XX, and state general revenue funds are combined with CCDF funds in order to enhance and align child care services for children receiving protective services. TANF funds transferred to Title XX funds are combined with CCDF funds for child care services .

Method of fund allocation (how you will be combining multiple sets of funding, such as at the State/Territory level, local level, program level?)

TWC allocates CCDF funds to Boards in a manner similar to the federal regulation for allotting the following funds to the states:

(a) Discretionary;

(b) Matching (including state general revenue funds); and

(c) Mandatory (including state general revenue funds for state Maintenance of Effort funds and TANF funds transferred to Title XX).

How are the funds tracked and method of oversight

For control budgets, expenses, and encumbrances, each funding stream has its own Project Grant Code in the accounting system, indicating the fund and the federal fiscal year of the award.

No.

1.6 Public-Private Partnerships

The CCDBG Act of 2014 adds a new provision that requires States and Territories to describe in the Plan how the State/Territory encourages partnerships among State/Territory and public agencies, tribal organizations, private entities, faith based organizations and/or community-based organizations to leverage existing service delivery systems for child care and development services and to increase the supply and quality of child care services for children through age 12, such as by implementing voluntary shared services alliance models (i.e., cooperative agreement among providers to pool resources to pay for shared fixed costs and operation). (658E(c)(2)(P)) ACF expects these types of partnerships to leverage public and private resources to further the goals of reauthorization.

1.6.1 Describe the entities with whom and the levels at which the State/Territory is partnering (level - State/Territory, county/local, and/or programs), the goals of the partnerships, method of partnering. Include in your description examples of activities that have resulted from partnerships with other State/Territory and public agencies, tribal organizations, private entities, faith based organizations or community-based organizations, and how the partnerships are expected to leverage existing service delivery systems for child care and development services and to increase the supply and quality of child care services.

Local Workforce Development Boards (Boards):

Local Match: Boards leverage local public expenditures in the workforce development areas as match for federal CCDF matching funds. Boards work with public institutions of higher education, independent school districts and local governments to certify local public expenditures for direct child care services to low-income families and for child care quality improvement activities.

The federal CCDF matching funds resulting from the public certifications are used by Boards to increase direct child care services to CCDF-eligible families targeted to meet the child care needs of the workforce areas. The funds are also used to expand quality improvement activities in the workforce areas.

Quality Set-Aside : Texas Government Code §2308.317(c) requires each Board to use at least 2 percent of its yearly child care allocation for quality initiatives.

Boards must ensure that the 2 percent allocation dedicated to quality child care initiatives is used for the following:

- **Quality child care programs, including programs meeting one of the following conditions:**
 - **Director receives mentoring; or**
 - **Program is in the process of obtaining Texas Rising Star (TRS) certification;**
- **Technical assistance, including the following:**
 - **Assistance to TRS providers and child care providers seeking TRS certification;**
 - **Consumer information regarding the selection of quality child care for parents; and**
 - **Parenting education information;**
 - **Professional development for child care providers, directors, and employees;**
 - **Educational materials for children served by child care providers; and**
 - **Educational information for parents on the development of children under age five.**

Boards must ensure that priority for the 2 percent allocation is given to quality child care initiatives benefiting child care facilities that are working toward TRS certification or are TRS providers working toward a higher certification level. Boards submit quarterly reports to TWC regarding the activities funded through the 2 percent quality allocation and TWC's Subrecipient Monitoring (SRM) department conducts annual monitoring of Boards to ensure that the funds are spent in accordance with applicable federal and state statutes, regulations and rules.

TRS Assessor and Mentor Funding : Texas Government Code §2308.3155(c) requires TWC to provide funding to Boards for TRS assessors and mentors. TRS assessors are responsible for conducting on-site assessments of providers to determine compliance with TRS standards. TRS mentors provide technical assistance to providers working to become TRS-certified and to TRS providers working to meet higher levels of TRS certification.

Infant/Toddler Expansion : In Fiscal Year 2014-2015 (FY'14-15), TWC provided one-time CCDF dedicated funding to all Boards for the expansion of infant/toddler care capacity. Boards may use the funds to assist new or existing child care facilities-center- or home-based-in expanding infant/toddler care capacity. The funds are available to the Boards through December 31, 2016.

Expansion can include:

- **a facility providing infant/toddler care that wants to increase such capacity; or**
- **a facility not providing infant/toddler care that wants to expand to provide such services.**

Funds can be used for:

- **purchase of equipment including, but not limited to, cribs, changing stations, classroom materials and equipment, and other materials to facilitate such expansions; and**
- **professional development activities designed to expand infant/toddler care capacity.**

TWC is in the planning and development stage to fund infant and toddler quality initiatives for FY'17-18.

Military Communities Child Care Initiative: In FY'14-15, TWC provided one-time CCDF to the eight Boards with military installations in their local workforce development areas

(workforce areas) for the purpose of providing assistance to child care facilities working to achieve national accreditation. The funds are available to the Boards through December 31, 2016. The eight Boards are:

- Alamo*
- Central Texas*
- Coastal Bend*
- Concho Valley*
- Middle Rio Grande*
- North Texas*
- Upper Rio Grande*
- West Central Texas*

Child Care Professional Career Pathways : In FY'14-15, TWC provided funding to two Boards (Southeast and Alamo) to establish integrated education and training (IET) programs designed in coordination with Texas community and junior colleges (colleges) and adult education and literacy (AEL) providers.

The goal of the IET program is to integrate education and training, based on fast start/fast finish models, in early childhood development and adult education and literacy leading to: (1) a child development associate (CDA) credential; or (2) the establishment of an early childhood studies-related career pathway. The intent is to increase the number of caregivers enrolling in IET Career Pathway programs to gain the basic education and literacy skills needed to enroll in college and child development training leading to CDA credentials or other early childhood training certificates recognized by workforce area child care providers.

Texas Education Agency (TEA):

TEA certifies state expenditures for the Texas School Ready! (TSR!) project as state match for federal matching funds. TWC provides CCDF matching funds to TEA for the TSR! project, through the Children's Learning Institute (CLI). The TSR! project provides training and mentoring to teachers in child care, Head Start, and prekindergarten settings serving preschool children, and is designed to prepare children for kindergarten and school.

TWC also provides funds to TEA to be used by CLI to develop guides, tools, statewide online and in-person trainings, and consumer education materials to support Texas Rising Star (TRS) Provider Certification Guidelines content and outreach. Training activities are described in Parts 6 and 7 of the State Plan.

TWC also provides CCDF funds to TEA for the Professional Development Partnerships for Early Childhood Education (ECE) program, which is designed to determine a pathway for articulation between two- and four-year colleges and universities for preservice early

childhood teachers. Institutions of higher education (IHEs) identify a faculty member to serve as a mentor and require students as part of the project. Students agree to complete a minimum number of credit hours over the project period. Each participating IHE will be required to adapt its program to include the elements of current effective teacher preparation programs that focus on the skills most important for children's success.

Texas Department of Family and Protective Services (DFPS):

In FY'14-15, TWC provided CCDF funds to DFPS Child Care Licensing (CCL) for child care inclusion training. DFPS CCL contracts with Texas A&M AgriLife Extension Service to develop and implement a series of online training courses related to serving children with disabilities. All courses are free and available at <http://infanttoddler.tamu.edu/courses/courseListByCatID.php?catid=50>.

Additionally, AgriLife has used the funds to develop Inclusive Child Care Get Started Kits for Infant and Toddler Caregivers (useful to parents as well). The online kits include free tip sheets, checklists, and multimedia resources in English, Spanish, and Vietnamese.

TWC also provides funding to DFPS CCL for online health and safety training courses for child care providers. The training is developed and implemented by Texas A&M AgriLife.

Texas Association for the Education of Young Children (TAEYC):

Through the Request for Proposals (RFP) process TWC awarded funds to TAEYC for the T.E.A.C.H. program to provide financial assistance to child care providers and caregivers to complete a CDA credential or enroll in college-credit courses in early childhood development.

Pilots for Individualized Instruction

Through the RFP process, TWC awarded KAPLAN and TAEYC funds to pilot programs that give child care providers standard instructional materials aligned with TRS and the Early Learning Guidelines developmental domains.

The intent of the pilot programs is to:

- allow observable, valid, and reliable assessments of each child's developmental progress;*
- provide assistance to teachers in developing individual and group classroom activities; and*
- provide assistance in meeting the individual needs of children with disabilities.*

1.7 Coordination with Local or Regional Child Care Resource and Referral Systems

States may use funds to support or establish Child Care Resource and Referral (CCR&R) systems (also see section 7.4). If they do, there are specific requirements for CCR&Rs (658E(c)(3)(B)(iii)) These include:

- Provide families with information on a full range of child care options (including faith-based, community-based child care centers and family child care homes, nontraditional hours and emergency child care centers) in their local area or region
- To the extent practicable, work directly with families who receive child care assistance to offer the families support and assistance in making an informed decision about child care options in an effort to ensure families are enrolling their children in the most appropriate child care setting to suit their needs and that is of high quality as determined by the State/Territory
- Collect data and provide information on the coordination of services and supports, including services provided through the Individuals with Disabilities Education Act for children with disabilities
- Collect data and provide information on the supply of and demand for child care services in local areas or regions of the State/Territory and submit such information to the State/Territory
- Work to establish partnerships with public agencies and private entities, including faith-based and community-based child care centers and family child care homes providers, to increase the supply and quality of child care services in the State/Territory
- As appropriate, coordinate their activities with the activities of the Lead Agency and/or local agencies that administer CCDF.

Nothing in statute prohibits States from using CCR&R agencies to conduct or provide additional services beyond those required by statute above.

1.7.1 Does the State fund a system of local or regional CCR&R organizations?

- Yes. The State/Territory funds a CCR&R system. See also related follow-up questions in Section 7.1 and 7.4.

If yes, the local or regional referral agency is required to do all of the activities listed here.

See also related follow-up questions in Section 7.1 and 7.4. Does the CCR&R system provide all services identified below:

- No. The State/Territory does not fund a CCR&R system and has no plans to establish. Use section 7.4 to describe plans, if any, to establish a CCR&R system.

1.8 Disaster Preparedness and Response Plan

The CCDBG Act of 2014 added a requirement that States must include a Statewide Child Care Disaster Plan for coordination of activities with the State/Territory human services agency, emergency management agency, child care licensing agency, State/Territory local resource and referral agencies, and the State Advisory Council (SAC) or other state-designated cross-agency body if there is no SAC. (658E(c)(2)(U)) The Statewide Child Care Disaster Plan must include:

- Guidelines for continuing CCDF assistance and child care services after a disaster, which may include provision of temporary child care, and temporary operating standards for child care after a disaster.
- Requirements that child care providers receiving CCDF have in place procedures for evacuation, relocation, shelter-in-place, lock-down, communication and reunification with families, continuity of operations, accommodation of infants and toddlers, children with disabilities, and children with chronic medical conditions.
- Requirements that child care providers receiving CCDF have in place procedures for staff and volunteer emergency preparedness training and practice drills.

1.8.1 Describe the status of State's Statewide Child Care Disaster Plan.

- Fully implemented and meeting all Federal requirements outlined above by March 1, 2016. If applicable, describe additional ways the State/Territory addresses the needs of children receiving CCDF before, during and after a disaster or emergency, not already incorporated into the Statewide Child Care Disaster Plan. If available, please provide a link to the disaster plan

If applicable, describe additional ways the State/Territory addresses the needs of children receiving CCDF before, during and after a disaster or emergency, not already incorporated into the Statewide Child Care Disaster Plan. If available, please provide a link to the disaster plan

- Not implemented. The State/Territory must provide a State/Territory-specific implementation plan for achieving compliance with this requirement, including planned activities, necessary legislative or regulatory steps to complete, and target completion date (no later than September 30, 2016). Please provide brief text responses and descriptions only. Do not cut and paste charts or tables here. Your responses here will be consolidated electronically into an Implementation Plan summary report.

Overall Target Completion Date (no later than September 30, 2016) 09/01/2016

Overall Status - Describe the State/Territory's overall status toward complete implementation for this requirement(s) (not yet started, partially implemented, substantially implemented, other) **Partially implemented**

Implemented requirement(s) - Identify any requirement(s) implemented to date if applicable

TWC's Business Continuity Program is designed to ensure the continuation of service delivery after a disaster, including CCDF-funded assistance and child care services. TWC rules also allow for the suspension of rules, on either a statewide or other basis, if the Commission finds a public emergency or imperative public necessity exists, and the Commission finds that the suspension will best serve the public health, safety or welfare.

Additionally, Child Care Licensing requires providers to have procedures for evacuation, relocation, shelter-in-place, communication with families, accommodation of infants and toddlers, children with disabilities, and children with chronic medical conditions. Licensing requirements also include that child care providers have procedures for staff and volunteer emergency preparedness training and practice drills.

Unmet requirement - Identify the requirement(s) to be implemented child care providers receiving CCDF have in place procedures for evacuation, relocation, shelter-in-place, lock-down, communication and reunification with families, continuity of operations, accommodation of infants and toddlers, children with disabilities, and children with chronic medical conditions.

Tasks/Activities - What specific steps will you take to implement the unmet requirement (e.g., legislative or rule changes, modify agreements with coordinating agencies, etc.)

Child Care Licensing requirements for child care providers to have procedures in place for lockdown, reunification, and continuity of operations. Child Care Licensing must amend rules pertaining to emergency preparedness to include requirements for lockdown procedures, reunification, and continuity of operations.

In April 2016 drafted rules will be presented to the Department of Family and Protective Services Council for consideration and once the rules are recommended for proposal they are published in the Texas Register for a 30 day public comment period. Child Care Licensing also notifies providers of the public comment period by email. Comments received are reviewed and further revisions may be made. If comments are received and/or additional changes made to the proposed rules then they are presented again to the Department of Family and Protective Services Council for adoption. Once the rules are adopted then Child Care Licensing notifies providers of the changes and effective date.

Propose rules: April 22, 2016

Public comment end: June 2016

Rules become effective: September 1, 2016

Projected start date for each activity: 04/22/2016

Projected end date for each activity: 09/01/2016

Agency - Who is responsible for complete implementation of this activity

Texas Department of Family and Protective Services

Partners - Who is the responsible agency partnering with the State/Territory lead agency to complete implementation of this activity

None identified

2 Promote Family Engagement through Outreach and Consumer Education

Parents are their children's most important teacher and advocate. State and Territory child care systems interact with parents in multiple ways, therefore presenting many opportunities to

engage and inform families. Child care providers can serve as convenient and trusted sources of information for parents and family members on child development and community supports and services. State/Territory and local child care assistance systems should be designed to promote seamless linkages to useful information and other child- and family-services, such as during subsidy intake and redetermination processes and when parents utilize child care resource and referral or QRIS agencies. Outreach and consumer education is an ongoing process and is expected to cover the entire age span covered by CCDF from birth through age 12. The CCDBG Act of 2014 includes key purposes that address the role of parents as child care consumers who need information to make informed choices regarding the services that best suit their needs. A new purpose of CCDBG is to "promote involvement by parents and family members in the development of their children in child care settings." States and Territories have the opportunity to consider how information can be provided to parents through the child care assistance system, partner agencies, and child care sites that will support their role as their children's teacher and advocate. Key new provisions include:

1. 1. The plan must certify that States and Territories will collect and disseminate consumer and provider education information to CCDF parents, providers, and the general public, including information about:
 - a) the availability of child care assistance,
 - b) the quality of child care providers (if available),
 - c) Other programs (specifically Temporary Assistance for Needy Families (TANF), Head Start and Early Head Start, Low-Income Home Energy Assistance Program (LIHEAP), Supplemental Nutrition Assistance Program (SNAP), Women, Infants and Children (WIC) program, Child and Adult Care Food Program (CACFP), Medicaid and State Children's Health Insurance Program (SCHIP)) for which families may also qualify.
 - d) Individuals with Disabilities Education Act (IDEA) programs and services,
 - e) Research and best practices in child development, and
 - f) State/Territory policies regarding social- emotional/behavioral and early childhood mental health of young children, which may include positive behavioral intervention and support models, and policies on the expulsion of preschool-aged children (children from birth to five for purposes of this requirement) from early childhood programs receiving CCDF.
- 2. Information related to the health and safety of children in child care settings. The plan must certify that the State/Territory will make public certain information about the results of health and safety monitoring (described in section 5) using a website that is consumer-friendly and in an easily accessible format, including:
 - a) Provider-specific information: 1) results of monitoring and inspection reports, including those due to major substantiated complaints; 2) last date of inspection; and 3) information on corrective actions taken (if applicable).
 - b) Information about: 1) the annual number of deaths; 2) the annual number of serious injuries; and 3) annual number of incidences of substantiated child abuse in child care settings.
 - c) State/Territory processes for: 1) licensing child care providers; 2) conducting background checks and the offenses that would keep a provider from being allowed to

care for children; and 3) conducting monitoring and inspections of child care providers.

2.1 Information about Child Care Financial Assistance Program Availability and Application Process

Lead Agencies must inform parents of eligible children and the general public of the process by which they can apply for and potentially receive child care services. (658D(b)(1)(A)), 658E(c)(2)(E)(i)(1))

2.1.1 Describe how the State/Territory informs families of availability of services.

a) How does the State/Territory identify populations and areas of potentially eligible families (e.g., using available federal, State/Territory and local needs assessments to identify potentially eligible families?)

Local Workforce Development Boards (Boards) use a variety of methods to identify potentially eligible families, including referrals from the Texas Health and Human Services Commission (HHSC), local community organizations, and public schools. Boards also use the Texas Workforce Commission's (TWC) Labor Market and Career Information (LMCI) data to identify areas of potentially eligible families within local workforce development areas (workforce areas).

b) What partners help with outreach? For example, child care resource and referral agencies, home visitors, pediatricians, faith-based services, State/Territory or local agencies and organizations or other familiar and safe access points serving vulnerable or low-income populations.

Most outreach and consumer education is performed at the local level by Boards using various media based on the needs of a workforce area's population. Other partners include the Texas Information and Referral Network (2-1-1 Texas), Temporary Assistance for Needy Families (TANF) office, local child care resource and referral agencies, Board child care contractors, community-based organizations, and public schools.

c) What outreach strategies does the Lead Agency use (e.g., media campaigns, State/Territory website, or other electronic outreach?)

The state uses a variety of methods to inform families of the availability of child care services. TWC posts information regarding child care services on its website,

distributes promotional materials and brochures, holds community outreach meetings or other in-person meetings, and uses radio and/or television and print media.

2.1.2 How can parents apply for services? Check all that apply.

Electronically via online application, mobile app or email.

Provide link *Varies by Board.*

In-person interview or orientation.

Describe agencies where these may occur:

At the Board's Local Workforce Solutions Offices.

Phone

Mail

At the child care site

At a child care resource and referral agency.

Through kiosks or online portals at related State/Territory/local agency or organization serving low-income populations.

Describe:

Through a coordinated application process (e.g., application is linked to other benefits program to allow parents to apply for several programs at one time).

Describe:

Other strategies.

Describe:

Applications are accepted in several ways in each workforce area; methods vary by Board, including overnight or after-hours drop boxes.

2.2 Consumer Education Website

The CCDBG Act of 2014 added a purpose of the child care program "to promote involvement by parents and family members in the development of their children in child care settings." (658A(b)(3)) The consumer education requirements address multiple topics that parents and family members need in order to make informed choices and act as their most important teacher and advocate. Lead agencies must certify that they will collect and disseminate the following information through resource and referral agencies or other means. (658E(c)(2)(E))

2.2.1 The State/Territory certifies that it collects and disseminates the following information to parents, providers and the general public:

- information about the availability of the full diversity of child care services that will promote informed child care choices,
- Availability of child care assistance,
- Quality of child care providers (if available),
- Other programs (specifically Temporary Assistance for Needy Families (TANF), Head Start and Early Head Start, Low-Income Home Energy Assistance Program (LIHEAP), Supplemental Nutrition Assistance Program (SNAP), Women, Infants and Children (WIC) program, Child and Adult Care Food Program (CACFP), Medicaid and State Children's Health Insurance Program (SCHIP) for which families may also qualify.
- Individuals with Disabilities Education Act (IDEA) programs and services,
- Research and best practices in child development, including social and emotional development, early childhood development, meaningful parent and family engagement, and physical health and development (particularly healthy eating and physical activity), and
- State/Territory policies regarding the social-emotional behavioral health of young children, which may include positive behavioral intervention and support models, and policies on expulsion of preschool-aged children, in early childhood programs receiving child care assistance (CCDF).

Yes. The State/Territory certifies as of March 1, 2016 that it collects and disseminates the above information to parents, providers and the general public. Describe using 2.2.2 through 2.2.7 below.

No. If no, the State/Territory must provide a State/Territory-specific implementation plan for achieving compliance with this requirement, including planned activities, necessary legislative or regulatory steps to complete, and target completion date (no later than September 30, 2016). Please provide brief text responses and descriptions only. Do not cut and paste charts or tables here. Your responses will be

consolidated electronically into an Implementation Plan summary report.

Overall Target Completion Date (no later than September 30, 2016) **09/30/2016**

Overall Status - Describe the State/Territory's overall status toward complete implementation for this requirement(s) (not yet started, partially implemented, substantially implemented, other) **Substantially implemented**

Implemented requirement(s) - Identify any requirement(s) implemented to date if applicable

2.2.2 information about the availability of the full diversity of child care services

Texas Workforce Commission (TWC) Child Care Services rule §809.15 requires Boards to promote informed child care choices by providing consumer education materials that describe the full range of child care providers, including licensed child care centers, licensed child care homes, registered child care homes, and eligible relative providers. The information is made available through written material and the Internet (see below).

Consumer education information is available electronically through TWC's parent portal website at www.texaschildcaresolutions.org . The website provides information on the child care and early education options available in Texas and provides links to DFPS Child Care Licensing (CCL) to search for child care providers, as well as links to the Texas Education Agency's (TEA) Early Childhood Education, and the Texas Head Start Collaboration Office (THSCO).

TWC partners with Boards and DFPS CCL, TEA, and THSCO to make information available to parents.

2.2.3 Information on Quality Child Care

TWC Child Care Services rules at §809.15 require Boards to promote informed child care choices by providing consumer education materials that contain descriptions of eligible child care providers, Texas Rising Star (TRS) provider criteria, programs related to school readiness-including the Texas School Ready! (TSR!) project-and Kindergarten Readiness System (KRS) certification. TWC has created a dedicated public website at www.texasrisingstar.org to

provide TRS information, with an overview of TRS as well as details on TRS provider criteria and standards.

Consumer education information is available through electronic and written materials. Written materials include brochures developed by TWC, Boards, and DFPS that provide information on the quality child care programs listed above. Information is also available through TWC's parent portal at www.texaschildcaresolutions.org.

TWC partners with Boards, DFPS CCL, TEA, and THSCO to make information about quality child care available to parents.

2.2.4-2.2.5 Other Human Services Programs

The information is available to eligible parents and the general public through TWC's parent portal at www.texaschildcaresolutions.org . The parent portal includes links to each program's website and any local information that may be available.

- 1. Temporary Assistance for Needy Families (TANF): The parent portal includes links to TANF information available at the Texas Health and Human Services Commission (HHSC) website.***
- 2. Head Start and Early Head Start Programs: The parent portal includes links to Head Start and Early Head Start information available from the Texas Head Start State Collaboration Office (THSSCO).***
- 3. Low Income Home Energy Assistance Program (LIHEAP): The parent portal includes links to the Comprehensive Energy Assistance Program (CEAP) information available from the Texas Department of Housing and Community Affairs.***
- 4. Supplemental Nutrition Assistance Programs (SNAP- formerly known as Food Stamps): The parent portal includes links to SNAP information available at the Texas Health and Human Services Commission (HHSC) website.***
- 5. Women, Infants, and Children Program (WIC): The parent portal includes links to WIC information available at the Texas Department of State Health Services (DSHS) website.***
- 6. Child and Adult Care Food Program(CACFP): The parent portal includes links to CACFP information available at the Texas Department of Agriculture (TDA) website.***
- 7. Medicaid: The parent portal includes links to Medicaid information available at the Texas Health and Human Services Commission***

- (HHSC) website.*
8. ***Children's Health Insurance Program (CHIP): The parent portal includes links to CHIP information available at the Texas Health and Human Services Commission (HHSC) website.***
 9. ***Individuals with Disabilities Education Act (IDEA) : The parent portal includes links to Early Childhood Intervention (ECI) information available at the Texas Department of Assistive and Rehabilitative Services (DARS); and links to the Preschool Programs for Children with Disabilities (PPCD) information available at the Texas Education Agency (TEA).***
 10. ***Other State/Federally Funded Child Care Programs (e.g., state pre-kindergarten) : The parent portal includes links to information on pre-kindergarten programs available at the Texas Education Agency (TEA).***
 11. ***Other early childhood programs (e.g., Maternal, Infant, and Early Childhood Home Visiting program: The parent portal includes links to information for Texas Home Visiting program available at the Texas Health and Human Services Commission (HHSC) website.***

Information about the programs below is available to providers through TWC's parent portal at www.texaschildcaresolutions.org. The parent portal includes links to each program's website and any local information that may be available.

Additionally, the TRS standards require TRS-certified providers to make this information available to parents.

2.2.6 Research and Best Practices in Child Development

The Texas Early Learning Council has developed infant, toddler, and three-year-old guidelines called Little Texans-Big Futures that address each of the elements above. Little Texans-Big Futures are research-based guidelines and include guidance on what young children should know and be able to do at different points in their development. The guidelines also include critical information to help parents and caregivers notice these milestones and respond appropriately to support each child's development.

The Little Texans-Big Futures guidelines are available to parents, the general public, and providers at <http://littletexans.org/DownloadGuidelines.aspx>. TEA also has developed voluntary Prekindergarten Guidelines (Pre-K Guidelines), which are available at <http://tea.texas.gov/index2.aspx?id=2147495508>. Additionally, the Early Learning Council developed Texas Early Learning Pathways, which aligns Little Texans-Big Futures with the Pre-K Guidelines. Links to Little Texans-Big Futures, the Pre-K Guidelines, and Texas Early Learning Pathways are also available through the parent portal at www.texaschildcaresolutions.org.

Both the Little Texans-Big Futures and Pre-K Guidelines were mailed to child care providers, caregivers and teachers. Additionally, the guidelines are available through the Board Workforce Solutions Offices. TWC also utilizes the .gov email delivery system to provide information to providers on the guidelines.

Further, the Texas Rising Star (TRS) Program standards are based on both the Little Texans-Big Futures and the Pre-K Guidelines. TRS providers and providers working to become TRS are made aware of the guidelines through TRS mentors.

Little Texans-Big Futures and the Pre-K Guidelines are also available online in Spanish, and Little Texans-Big Futures is additionally available in Vietnamese, as well as in hardcopy format through Workforce Solutions Offices.

2.2.7 How policies regarding the social-emotional/behavioral and early childhood mental health of young children are provided to parents, providers and the general public

Little Texans-Big Futures includes information and guidance on the social, emotional, and behavioral health of children.

Little Texans-Big Futures is available to parents, the general public, and providers at <http://littletexans.org/DownloadGuidelines.aspx>.

Links to Little Texans-Big Futures and the Pre-K Guidelines are also available

through the parent portal at www.texaschildcaresolutions.org .

The information is also available online in Spanish and Vietnamese. Printed materials in Spanish are available to parents through the Board's Workforce Solutions Offices.

Both the Little Texans-Big Futures and Pre-K Guidelines were mailed to child care providers, caregivers and teachers. Additionally, the guidelines are available through the Board Workforce Solutions Offices. TWC also utilizes the .gov email delivery system to provide information to providers on the guidelines.

Further, the Texas Rising Star (TRS) Program standards are based on both the Little Texans-Big Futures and the Pre-K Guidelines. TRS providers and providers working to become TRS are made aware of the guidelines through TRS mentors.

2.2.7(c) - TWC requires TRS providers to have a policy on expulsions and provide the policy to parents.

Unmet requirement - Identify the requirement(s) to be implemented State/Territory policies regarding the social-emotional/behavioral and early childhood mental health of young children (which may include positive behavioral intervention and support models, and policies on expulsion of preschool-aged children (children from birth to five for purposes of this requirement)) in early childhood programs receiving CCDF.)

Tasks/Activities - What specific steps will you take to implement the unmet requirement (e.g., legislative or rule changes, modify agreements with coordinating agencies, etc.)

2.2.7(c) Information regarding written policies on preventing expulsions of preschool children for all providers receiving child care assistance.

Approve written policy on expulsions - 8/31/2016

Post written policy on www.texaschildcaresolutions.org (for parents) and the child care attendance portal (for providers). Send policy to providers using .gov delivery - 9/15/16

Projected start date for each activity: 08/31/2016

Projected end date for each activity: 09/15/2016

Agency - Who is responsible for complete implementation of this activity

Texas Workforce Commission

Partners - Who is the responsible agency partnering with to complete implementation of this activity

- 28 Workforce Boards

2.2.2 Describe how the State/Territory makes information available about the full diversity of child care services that will promote informed child care choices, including consumer-friendly strategies such as materials that are culturally responsive and in multiple languages as needed that reflect the literacy levels of consumers, and are easy to access

a) Describe how the State/Territory makes information about the full diversity of child care services available to 1) parents of eligible children, 2) providers and 3) the general public

-

b) Describe what you provide and how (i.e., methods such as written materials, direct communication, etc.)

-

c) Describe who you partner with to make information about the full diversity of child care choices available

-

2.2.3 Describe how the State/Territory makes information about the quality (such as through a quality rating and improvement system, if available, nationally-recognized accreditation, or other means) of child care services available to the public, including consumer-friendly strategies such as messages that are designed to engage intended audiences and are easy to understand

a) Describe how the State/Territory makes information about child care quality available to 1) parents of eligible children, 2) providers and 3) the general public

-

b) Describe what you provide and how (i.e., methods such as written materials, direct communication, etc.)

-

c) Describe who you partner with to make information about child care quality available

-

2.2.4 Describe how the State/Territory shares information with eligible parents about other available human service programs.

For example, does the State/Territory share information about these other programs through linkages from the online application, universal applications, through intake process/front line workers, providers, child care resource and referral agencies or other trusted advisors such as home visitors, pediatricians, faith-based services, etc.? At a minimum, include in your description how you provide information to eligible parents, what you provide and by what methods, and which partners you work with to provide information about other available service programs.

a) Temporary Assistance for Needy Families (TANF)

-

b) Head Start and Early Head Start Programs

-

c) Low Income Home Energy Assistance Program (LIHEAP)

-

d) Supplemental Nutrition Assistance Programs (SNAP- formerly known as Food Stamps)

-

e) Women, Infants, and Children Program (WIC)

-

f) Child and Adult Care Food Program(CACFP)

-

g) Medicaid

-

h) Children's Health Insurance Program (CHIP)

-

i) Individuals with Disabilities Education Act (IDEA)

-

j) Other State/Federally Funded Child Care Programs (e.g., state pre-kindergarten)

-

k) Other early childhood programs (e.g., Maternal, Infant, and Early Childhood Home Visiting program)

-

2.2.5 Describe how the State/Territory shares information with providers (where applicable) to link families to these other available human service programs.

For example, does the State/Territory provide information to providers through CCR&Routreach, as a condition of their contract or voucher agreement, through community-based hub agencies that partner with subsidy providers, county/local collaboration, through quality rating and improvements systems, etc?

a) Temporary Assistance for Needy Families (TANF)

-

b) Head Start and Early Head Start Programs

-

c) Low Income Home Energy Assistance Program (LIHEAP)

-

d) Supplemental Nutrition Assistance Programs (SNAP- formerly known as Food Stamps)

-

e) Women, Infants, and Children Program (WIC)

-

f) Child and Adult Care Food Program(CACFP)

-

g) Medicaid

-

h) Children's Health Insurance Program (CHIP)

-

i) Individuals with Disabilities Education Act (IDEA)

-

j) Other State/Federally Funded Child Care Programs (example-State Pre-K)

-

k) Other early childhood programs (e.g., Maternal, Infant, and Early Childhood Home Visiting program)

-

2.2.6 Describe how the State/Territory makes available information to parents of eligible children, the general public, and where applicable, providers (see also section 6) about research and best practices in child development, including all domains of early childhood development, including social and emotional development, cognitive, and physical health and development (particularly healthy eating and physical activity), and meaningful parent and family engagement. (658E(c)(2)(E)(VI))

a) Describe how the State/Territory makes information about research and best practices in child development available to 1) parents of eligible children, 2) providers and 3) the general public

-

b) Describe what you provide and how (i.e., methods such as written materials, direct communication, etc.)

-

c) Describe who you partner with to make information about research and best practices in child development available

-

2.2.7 Describe how information on the State/Territory's policies regarding the social-emotional/behavioral and early childhood mental health of young children, which may include positive behavioral intervention and support models, and policies on expulsion of preschool-aged children (from birth to five for purposes of this requirement), in early childhood programs receiving CCDF is collected and disseminated to parents, providers and the general public. (658E(c)(2)(E)(i)(VII))

a) Describe how the State/Territory makes information regarding social-emotional/behavioral and early childhood mental health of young children, which may include positive behavioral intervention support models, available to 1) parents of eligible children, 2) providers and 3) the general public. At minimum, describe **what** you provide (e.g., early childhood mental health consultation services to child care programs) and **how** (i.e., methods such as written materials, direct communication, etc.) for each group:

i. Parents

ii. Providers

iii. General public

b) Describe any partners used to make information regarding social-emotional/behavioral and early childhood mental health of young children available

c) Does the State have a written policy regarding preventing expulsion of:

Preschool children (from birth to five) in early childhood programs receiving child care assistance?

Yes.

If yes, If yes, describe how the State/Territory makes information about that policy available to parents, providers and the general public (what you provide, how you provide and any partners used) and provide a link

No.

School-age children from programs receiving child care assistance?

Yes.

If yes, describe how the State/Territory makes information about that policy available to 1) parents, 2) providers and 3) the general public (what you provide, how you provide and any partners used) and provide a link

No.

2.2.8 Coordination with Other Partners to Increase Access to Developmental Screenings

The State/Territory must develop and describe procedures for providing information on and referring families to existing developmental screening services. (658E(c)(2)E(ii)) At a minimum, the State/Territory must establish procedures to provide information to families and child care providers on: (1) Early and Periodic Screening, Diagnosis, and Treatment program under the Medicaid program carried out under Title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) and developmental screening services available under section 619 and part C of the Individuals with Disabilities Education Act (20 U.S.C. 1419, 1431 et seq.); and (2) a description of how a family or child care provider receiving CCDF may utilize the resources and services to obtain developmental screenings for children receiving CCDF who may be at risk for cognitive or other developmental delays, which may include social, emotional, physical, or linguistic delays.

Describe the status of the State/Territory's procedures for providing information on and referring families to existing developmental screening services.

Fully implemented and meeting all Federal requirements outlined above - by March 1, 2016.

List the Lead Agency policy citation(s) and:

a) Describe procedures, including timelines for when infants, toddlers and preschoolers should be screened

b) Describe how CCDF families or child care providers receiving CCDF may utilize the resources and services to obtain developmental screenings for CCDF children at risk for cognitive or other developmental delays

Not implemented. If not implemented, the State/Territory must provide a State/Territory-specific implementation plan for achieving compliance with this requirement, including planned activities, necessary legislative or regulatory steps to complete, and target completion date (no later than September 30, 2016). Please provide brief text responses and descriptions only. Do not cut and paste charts or tables here. Your responses will be consolidated electronically into an Implementation Plan summary report.

Overall Target Completion Date (no later than September 30, 2016) [09/30/16](#)

Overall Status - Describe the State/Territory's overall status toward complete implementation for this requirement(s) (not yet started, partially implemented, substantially implemented, other) [Other](#)

Implemented requirement(s) - Identify any requirement(s) implemented to date if applicable

Establishment of procedures to provide information to families and child care providers on Medicaid's Early and Periodic Screening, Diagnosis, and Treatment program and screening services available under IDEA, Part C.

Appropriate procedures regarding how a family or child care provider receiving CCDF funds may use the resources and services to obtain developmental screenings for subsidized children who may be at risk for cognitive or other developmental delays, which may include social, emotional, physical, or linguistic delays.

Unmet requirement - Identify the requirement(s) to be implemented [Establish procedures to provide information to families and providers \(1\) Early and Periodic Screening, Diagnosis, and Treatment program under the Medicaid program carried out under Title XIX of the Social Security Act \(42 U.S.C. 1396 et seq.\) and developmental screening services available under section 619 and part C of the Individuals with Disabilities Education Act \(20 U.S.C. 1419, 1431 et seq.\);](#)

Tasks/Activities - What specific steps will you take to implement the unmet requirement (e.g., legislative or rule changes, modify agreements with coordinating agencies, etc.)

TWC will work with Texas Health and Human Services Commission and the

Texas Department of Assistive and Rehabilitative Services appropriate agencies and Boards to establish and implement appropriate procedures to provide information to families and providers on how to use resources to obtain developmental screenings for subsidized children.

Projected start date for each activity: 11/01/2015

Projected end date for each activity: 09/01/2016

Agency - Who is responsible for complete implementation of this activity
TWC and Boards

Partners - Who is the responsible agency partnering with to complete implementation of this activity

Texas Health and Human Services Commission and the Texas Department of Assistive and Rehabilitative Services

Unmet requirement - Identify the requirement(s) to be implemented (2) a description of how a family or child care provider receiving CCDF may utilize the resources and services to obtain developmental screenings for children receiving CCDF who may be at risk for cognitive or other developmental delays, which may include social, emotional, physical, or linguistic delays.

Tasks/Activities - What specific steps will you take to implement the unmet requirement (e.g., legislative or rule changes, modify agreements with coordinating agencies, etc.)

TWC will work with appropriate agencies and Boards to establish and implement appropriate procedures to provide information to families and providers on how to use resources to obtain developmental screenings for subsidized children.

Projected start date for each activity: 11/01/2015

Projected end date for each activity: 09/01/2016

Agency - Who is responsible for complete implementation of this activity
TWC and Boards

Partners - Who is the responsible agency partnering with to complete implementation of this activity

Texas Health and Human Services Commission and the Texas Department of Assistive and Rehabilitative Services

2.2.9 Describe how the State/Territory meets the requirement to maintain a record of substantiated parental complaints. (658E(c)(2)(C))

a) How does the State/Territory define substantiated parental complaint

A complaint is considered to be substantiated once DFPS completes the investigation and determines that the allegations are valid.

b) How does the State/Territory maintain a record of substantiated parental complaints about providers (e.g., how long are records maintained and in what format)

These records are maintained in the DFPS CCL Automated Support System (CLASS), the automated system DFPS uses to document all inspections and investigations. CLASS has never been purged, so the records go back to 2002.

c) How does the State/Territory make substantiated parental complaints available to the public on request

Information about complaints is available to the public through Search Texas Child Care, a searchable website maintained by DFPS. The public can review a provider's 24-month compliance history, which includes complaints. An individual may also contact the local CCL office for complaint information.

d) Describe how the State/Territory defines and maintains complaints from others about providers

Complaints from others are defined and maintained in the same way as parental complaints.

2.2.10 How will the Lead Agency or partners provide outreach and services to eligible families for whom English is not their first language?

Check the strategies, if any, that your State/Territory has chosen to implement.

- Application in other languages (application document, brochures, provider notices)
- Informational materials in non-English languages
- Training and technical assistance in non-English languages
- Website in non-English languages
- Lead Agency accepts applications at local community-based locations
- Bilingual caseworkers or translators available
- Bilingual outreach workers
- Partnerships with community-based organizations
- Other

- None

2.2.11 If the Lead Agency checked any option above related to providing information or services in other non-English languages, please list the primary languages offered (top 3) or specify that the State/Territory has the ability to have translation/interpretation in all primary and secondary languages

Spanish and Vietnamese (in applicable workforce areas).

2.2.12 Describe how the Lead Agency or partners provide outreach and services to eligible persons with disabilities

Beginning September 1, 2016 several programs currently managed by the Department of Assistive and Rehabilitative Services (DARS) will become services administered by the Texas Workforce Commission (TWC). These include:

- The Vocational Rehabilitation program for individuals with visual impairments, including the Criss Cole Rehabilitation Center*
- The Vocational Rehabilitation program for individuals with other disabilities*
- The Independent Living Services program for older individuals who are blind*
- The Business Enterprises of Texas program*

Through the transfer of these programs to TWC will allow for greater opportunities to provide outreach and child care services to persons with disabilities participating in these programs.

2.3 Website for Consumer Education

The CCDBG Act of 2014 added a requirement that States and Territories have a website describing processes for licensing and monitoring child care providers, processes for conducting criminal background checks, and offenses that prevent individuals from being child care providers, and aggregate information on the number of deaths, serious injuries and child abuse.

The State/Territory must make public certain information about the results of such monitoring on a website in a way that is consumer-friendly and in an easily accessible format. (658E(c)(2)(D)) In order for a website to be a useful tool for parents, it should be easy to navigate, with a minimum number of clicks, and in plain language. States and Territories must post the results of the monitoring on the website no later than November 19, 2017. All other components of the website must be completed no later than September 30, 2016.

2.3.1 Describe the status of State/Territory's consumer education website.

- Fully implemented and meeting all Federal requirements outlined above - by March 1, 2016.

Provide the link to the website: http://www.dfps.state.tx.us/child_care/default.asp

and describe how the consumer education website meets the requirements to:

- a) Share provider-specific information about health and safety, licensing or regulatory requirements met by the provider (including the last date of inspection, and any history of violations). Describe

The DFPS website provides inspection summaries that include information on findings regarding a provider's status, e.g., health and safety violations, licensing or regulatory requirements not met by the provider (including the last date of inspection, and a two-year history of any licensing deficiencies.

- b) Include a description of health and safety requirements and licensing or regulatory requirements for child care providers. Describe

The website provides a summary description of the health and safety requirements and the minimum standards for child care providers. The Parent's Guide to Child Care includes an overview of the requirements for licensed child care centers, licensed child care homes, and registered child care homes. Additionally, the website includes a link to the full health and safety licensing and regulatory requirements for licensed child care centers (including school-age-only centers), licensed child care homes, and registered child care homes.

c) Include a description of the processes for licensing, background checks, monitoring, and offenses that prevent individuals from being providers. Describe

The website provides a description of the processes for licensing, background checks, monitoring, and offenses that prevent individuals from being providers.

d) Provide information about the number of deaths, number of serious injuries as defined by the State/Territory and the number of incidences of substantiated child abuse in child care settings. Describe

The website includes information about the aggregate number of serious injuries and the number of substantiated child abuse incidents in child care settings.

e) Describe how the website is consumer-friendly, for example, allowing multiple ways to search for providers, defining terms such as exempt care and corrective action plans, presents the results of monitoring inspections in plain language, providing frequently asked questions, is accessible in multiple languages upon request and to persons with disabilities through multiple formats, differentiating between violations based on risk to children, and easy to locate and navigate. Describe

The website allows users to search for child care providers by provider type (LLCC, LLCH, RCCH, school-age programs, and listed family homes). The website also allows users to search by county, multiple zip codes, and age groups served.

The website presents the results of the past 24 months of monitoring inspections with a brief narrative of each deficiency cited. Risk levels-High, Medium-High, Medium, Low-are also provided for the deficiencies cited.

- Not implemented. If not implemented, the State/Territory must provide a State/Territory-specific implementation plan for achieving compliance with this requirement, including planned activities, necessary legislative or regulatory steps to complete, and target completion date. Please provide brief text responses and descriptions only. Do not cut and paste charts or tables here. Your responses will be consolidated electronically into an Implementation Plan summary report.

Overall Target Completion Date (no later than September 30, 2016 for all components of the website except posting the results of the monitoring on the website which is November 19, 2017) [09/30/2016](#)

Overall Status - Describe the State/Territory's overall status toward complete implementation for this requirement(s) (not yet started, partially implemented, substantially implemented, other) [Substantially implemented](#)

Implemented requirement(s) - Identify any requirement(s) implemented to date if applicable

Texas fully meets all the Federal requirements in a, b, c, and e as described below through the Texas Department of Family and Protective Services (DFPS) web site at: http://www.dfps.state.tx.us/child_care/default.asp

a) The DFPS website provides inspection summaries that include information on findings regarding a provider's status, e.g., health and safety violations, licensing or regulatory requirements not met by the provider (including the last date of inspection, and a two-year history of any licensing deficiencies.

b) The website provides a summary description of the health and safety requirements and the minimum standards for child care providers. The Parent's Guide to Child Care includes an overview of the requirements for licensed child care centers, licensed child care homes, and registered child care homes. Additionally, the website includes a link to the full health and safety licensing and regulatory requirements for licensed child care centers (including school-age-only centers), licensed child care homes, and registered child care homes.

c) The website provides a description of the processes for licensing, background checks, monitoring, and offenses that prevent individuals from being providers.

d) Although the consumer education website does not provide aggregate information about deaths and serious injuries, Child Care Licensing publishes the aggregate number of deaths and substantiated incidences of child abuse and neglect in the DFPS Annual Data Book:
http://www.dfps.state.tx.us/About_DFPS/Data_Books_and_Annual_Reports/defa

[ult.asp.](#)

e) The website allows users to search for child care providers by provider type (LLCC, LLCH, RCCH, school-age programs, and listed family homes). The website also allows users to search by county, multiple zip codes, and age groups served.

The website presents the results of the past 24 months of monitoring inspections with a brief narrative of each deficiency cited. Risk levels-High, Medium-High, Medium, Low-are also provided for the deficiencies cited.

Unmet requirement - Identify the requirement(s) to be implemented Provide annual aggregate information about the number of deaths, number of serious injuries as defined by the State/Territory and the number of incidences of substantiated child abuse in child care settings. Describe

Tasks/Activities - What specific steps will you take to implement the unmet requirement (e.g., legislative or rule changes, modify agreements with coordinating agencies, etc.)

Modify DFPS website to include aggregate information on the number of deaths, serious injuries and substantiated incidences of child abuse.

Develop system requirements: March 1, 2016

Test web site enhancements: June 30, 2016

Implement web site changes: September 30, 2016

Projected start date for each activity: 03/01/2016

Projected end date for each activity: 09/30/2016

Agency - Who is responsible for complete implementation of this activity

DFPS

Partners - Who is the responsible agency partnering with to complete implementation of this activity

None

3 Provide Stable Child Care Financial Assistance to Families

The expanded purposes of CCDBG highlight the opportunities States and Territories have to "deliver high-quality, coordinated early childhood care and education services to maximize parents' options and support parents trying to achieve independence from public assistance"; and "to improve child care and development of participating children." (658A(b)) Young children learn in the context of their relationships with adults, including their child care teacher or provider. The unintentional consequence of child care assistance that is linked to adult work and school obligation is that child care arrangements - and the opportunity for children to form trusting relationships with teachers - are often interrupted and unstable. Child care financial assistance policies that make it easier to get and keep assistance support continuity of care and relationships between the child and child care provider and enable parents to stay employed or complete training/education. Child care support that extends until families are able to pay the full cost of care themselves promotes longer lasting economic stability for families. CCDF funds may support families until they reach 85% of State Median Income (SMI).

The CCDBG Act of 2014 included requirements to establish minimum 12-month eligibility and redetermination periods, requiring that States and Territories have a process to account for irregular fluctuations in earnings, a policy ensuring that families' work schedules are not disrupted by program requirements, policies to provide for job search of not less than three (3) months, and to describe policies for graduated phase-out of assistance. The definition of an eligible child includes that a family's assets may not exceed \$1,000,000 (as certified by a member of such family). Procedures for enrollment of homeless children pending completion of documentation are also now required. There is nothing in statute to prohibit States from establishing policies that extend eligibility beyond 12 months or establish other similar policies to align program requirements that allow children enrolled in Head Start, Early Head Start, state or local pre-kindergarten and other collaborative programs to finish the program year and to promote continuity for families receiving services through multiple benefits programs.

3.1 Eligible Children and Families

In order to be eligible for services, children must (1) be under the age of 13, (2) reside with a family whose income does not exceed 85 percent of the State's median income for a family of the same size, and whose family assets do not exceed \$1,000,000 (as certified by a member of such family); and who (3)(a) resides with a parent or parents who are working or attending a job training or educational program; or (b) is receiving, or needs to receive, protective services and resides with a parent or parents not described in (3a.). (658P(4))

3.1.1 Eligibility Criteria Based upon Child's Age

a) The CCDF program serves children from 0 (weeks/months/years) to 12 years (through age 12).

b) Does the Lead Agency allow CCDF-funded child care for children age 13 and above but below age 19 years who are physically and/or mentally incapable of self-care?(658E(c)(3)(B), 658P(3))



Yes, and the upper age is 18 (may not equal or exceed age 19). Provide the Lead Agency definition of physical or mental incapacity: [The Texas Workforce Commission \(TWC\) uses the term "child with disabilities." A child with disabilities is a child who is mentally or physically incapable of performing routine activities of daily living within the child's typical chronological range of development. A child is considered mentally or physically incapable of performing routine activities of daily living if the child requires assistance in performing tasks \(major life activities\) that are within the typical chronological range of development, including but not limited to, caring for oneself, performing manual tasks, walking, hearing, seeing, speaking, breathing, learning, and working \(TWC Child Care Services rule §809.2\(5\)\).](#)



No

c) Does the Lead Agency allow CCDF-funded child care for children age 13 and above but below age 19 years who are under court supervision? (658P(3), 658E(c)(3)(B))



Yes and the upper age is 18 (may not equal or exceed age 19)



No.

3.1.2 How does the Lead Agency define the following eligibility terms?

a) residing with -

A child is considered to be residing with the parent when the child is living with and physically present with the parent during the time period for which child care services are being requested or received (TWC Child Care Services rule §809.2(19)). Children of eligible, deployed military parents are exempt from residing with the child as defined in TWC Child Care Services rule §809.2(19). Additionally, a Local Workforce Development Board (Board) may establish a policy to allow parents attending a program that leads to a postsecondary degree from an institution of higher education to be exempt from residing with the child as defined in TWC Child Care Services rule §809.2(19).

b) in loco parentis -

An individual 18 years of age or older who is responsible for the day-to-day care and supervision of the child when the child's natural parent, adoptive parent, stepparent, or legal guardian is not available to care for the child. The individual must document the reason the child's parents are unavailable to care for the child and that he or she is exercising parental responsibility for the child. (See TWC's Child Care Services Guide, D-105.c, <http://www.twc.state.tx.us/child-care-services-guide-d-100-eligibility-child-care-services>.)

An individual 18 years of age or older who is responsible for the day-to-day care and supervision of the child when the child's natural parent, adoptive parent, stepparent, or legal guardian is on military deployment and the deployed military parent's income does not exceed the Board's income limit (TWC Child Care Services rule §809.41(3)).

3.1.3 Eligibility Criteria Based on Reason for Care

a) How does the Lead Agency define "working, attending job training and education" for the purposes of eligibility at the point of determination? Provide a brief description below, including allowable activities and if a minimum number of hours is required by State/Territory (not a federal requirement).

* working:

- **TWC Child Care Services rule §809.2(21) defines "working" as:**
 - **activities for which one receives monetary compensation, such as a salary, wages, tips, and commissions;**
 - **job search activities; or**
 - **participation in Choices or Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) activities.**

* attending job training

- **TWC Child Care Services rule §809.2(1) states that an individual is considered to be "attending a job training" program if the individual:**

(A) is considered by the program to be officially enrolled;
(B) meets all attendance requirements established by the program; and
(C) is making progress toward successful completion of the program as determined by the Board.

* attending education

- **TWC Child Care Services rule §809.2(1) states that an individual is considered to be "attending an education" program if the individual:**

(A) is considered by the program to be officially enrolled;
(B) meets all attendance requirements established by the program; and
(C) is making progress toward successful completion of the program as determined by the Board.

TWC Child Care Services rules §809.48 and §809.50 require parents to be in work, job training, or educational activities for a combination of at least an average of 25 hours per week for a single-parent family, 50 hours per week for a two-parent family, or a higher number of hours per week as established by the Board.

b) Does the Lead Agency allow parents to qualify for CCDF assistance on the basis of education and training participation alone (without additional minimum work requirements)?

Yes.

No.

If no, describe additional requirements

c) Does the Lead Agency provide child care to children in protective services?

Yes. If yes, how does the Lead Agency define "protective services" for the purposes of eligibility? Provide a brief description below.

1) Definition of protective services -

- TWC Child Care Services rule §809.2(15) defines "protective services" as services provided when:

- a child is at risk of abuse or neglect in the immediate or short-term future and the child's family cannot or will not protect the child without the intervention of DFPS Child Protective Services (CPS)- this includes respite care provided to custodial parents of children in protective services;**
- a child is in the managing conservatorship of DFPS and is residing with a relative or a foster parent; or**
- a child has been provided with protective services by DFPS within the prior six months and requires services to ensure the stability of the family.**

2) Does the Lead Agency waive the co-payment and income eligibility requirements for cases in which children receive, or need to receive, protective services on a case-by-se basis? (658E(c)(5))

Yes.

No.

Note - If the Lead Agency elects to provide CCDF-funded child care to children in foster care whose foster care parents are not working, or who are not in education/training activities for CCDF purposes these children are considered to be in protective services and should be included in the protective services definition above.

No.

3.1.4 Eligibility Criteria Based on Family Income

a) How does the Lead Agency define "income" for the purposes of eligibility at the point of determination?

* Definition of income -

TWC Child Care Services rule §809.44(a) states the following:

Unless otherwise required by federal or state law, "family income," for purposes of determining eligibility and the parent share of cost, means the monthly total of the following items for each member of the family:

(1) Total gross earnings. These earnings include wages, salaries, commissions, tips, piece-rate payments, and cash bonuses earned.

(2) Net income from self-employment. Net income includes gross receipts minus business-related expenses from an individual's own business, professional enterprise, or partnership, which result in the individual's net income. Net income also includes gross receipts minus operating expenses from the operation of a farm.

(3) Pensions, annuities, life insurance, retirement income, and early withdrawals from a 401(k) plan not rolled over within 60 days of withdrawal. This includes Social Security pensions, veteran's pensions and survivor's benefits, and any cash benefit paid to retirees or their survivors by a former employer, or by a union, either directly or through an insurance company. This also includes payments from annuities and life insurance.

(4) Taxable capital gains, dividends, and interest. These earnings include capital gains from the sale of property, earnings from dividends from stock holdings, and interest on savings or bonds.

(5) Rental income. This includes net income from rental of a house, homestead, store, or other property, or rental income from boarders or lodgers.

(6) Public assistance payments. These payments include Temporary Assistance for Needy Families (TANF) as authorized under Chapters 31 or 34 of the Texas Human Resources Code, refugee assistance, Social Security Disability Insurance, Supplemental Security Income, and general assistance (such as cash payments from a county or city).

(7) Income from estate and trust funds. These payments include income from estates, trust funds, inheritances, or royalties.

(8) Unemployment compensation. This includes unemployment payments from governmental unemployment insurance agencies or private companies and strike benefits while an individual is unemployed or on strike.

(9) Workers' compensation income, death benefit payments, and other disability

payments. These payments include compensation received periodically from private or public sources for on-the-job injuries.

(10) Spousal maintenance or alimony. This includes any payment made to a spouse or former spouse under a separation or divorce agreement.

(11) Child support. These payments include court-ordered child support, any maintenance or allowance used for current living costs provided by parents to a minor child who is a student, or any informal child support cash payments made by an absent parent for the maintenance of a minor.

(12) Court settlements or judgments. This includes awards for exemplary or punitive damages, noneconomic damages, and compensation for lost wages or profits, if the court settlement or judgment clearly allocates damages among these categories.

(13) Lottery payments of \$600 or greater.

b) Provide the CCDF income eligibility limits in the table below. **Complete** columns (a) and (b) based upon maximum eligibility initial entry into the CCDF program. Complete Columns (c) and (d) **ONLY IF** the Lead Agency is using income eligibility limits lower than 85% of the current SMI. Complete columns (e) and (f) with the maximum "exit" eligibility level if applicable and below the federal limit of 85% of current SMI.

Note - If the income eligibility limits are not statewide, check here

Describe how many jurisdictions set their own income eligibility limits

28 Local Workforce Development Boards set their own income eligibility limits. The table below is based on the Gulf Coast local workforce development area (workforce area). The Gulf Coast Board has established an entry-level eligibility of 200 percent of the federal poverty guidelines, with continued eligibility up to 85 percent of SMI. Column (c) in the chart contains the dollar amounts at 200% FPG for Gulf Coast which is the maximum entry income level below 85% SMI. Column (d) is the corresponding SMI for the amounts in column (c).

Fill in the chart based on the most populous area of the state.

Family Size	(a) 100% of State Median Income (SMI) (\$/month)	(b) 85% of State Median Income (SMI) (\$/month) [Multiply (a) by 0.85]	(c) (IF APPLICABLE) \$/month Maximum "Entry" Income Level if lower than 85% Current SMI	(d) (IF APPLICABLE) % of SMI [Divide (c) by (a), multiply by 100] Income Level if lower than 85% Current SMI	(e) (IF APPLICABLE) \$/month Maximum "Exit" Income Level if lower than 85% Current SMI	(f) (IF APPLICABLE) % of SMI [Divide (e) by (a), multiply by 100] Income Level if lower than 85% Current SMI
1	\$ 3,013	\$ 2,561	\$1,962	65.1%	\$ 2,561	85%
2	\$ 3,939	\$ 3,348	\$2,655	67.4%	\$ 3,348	85%
3	\$ 4,866	\$ 4,136	\$3,348	68.8%	\$ 4,136	85%
4	\$ 5,793	\$ 4,924	\$4,042	69.8%	\$ 4,924	85%
5	\$ 6,720	\$ 5,712	\$4,735	70.5%	\$ 5,712	85%

Reminder - Income limits must be provided in terms of current State Median Income (SMI) (or Territory Median Income) even if federal poverty level is used in implementing the program. Federal [poverty guidelines](http://aspe.hhs.gov/poverty/index.cfm) are available at <http://aspe.hhs.gov/poverty/index.cfm>.

c) SMI Source and year [United States Department of Health and Human Services State Median Income Estimates, Federal Register, Vol. 80, No. 111, published June 10, 2015.](#)

d) These eligibility limits in column (c) became or will become effective on: [October 1, 2015](#)

e) Provide the link to the income eligibility limits

<http://www.twc.state.tx.us/files/partners/board-income-limits-for-ccdf-eligibility-twc.pdf>

3.1.5 Graduated Phase-Out of Assistance

The CCDBG Act of 2014 added a provision that requires States and Territories to provide for a graduated phase-out of assistance for families whose income has increased at the time of re-determination, but remains below the federal threshold of 85% of State median income.

Providing a graduated phase-out supports long-term family economic stability by allowing for wage growth and a tapered transition out of the child care subsidy program. (658E (c)(2)(N)(iv))

This might be achieved through policies such as establishing a second income eligibility threshold at redetermination (e.g., establishing a different eligibility threshold for families first applying for assistance and those already receiving assistance, sometimes called and "exit

threshold") or by granting a sustained period of continued assistance to the family before termination.

Describe the status of the State/Territory's policy regarding graduated phase-out of assistance.

- Fully implemented and meeting all Federal requirements outlined above by March 1, 2016.

List the Lead Agency's policy citation(s) and describe the policies and procedures for graduated phase-out

- Not implemented. The State must provide a State-specific implementation plan for achieving compliance with this requirement, including planned activities, necessary legislative or regulatory steps to complete, and target completion date (no later than September 30, 2016). Please provide brief text responses and descriptions only. Do not cut and paste tables here. Your responses here will be consolidated electronically into an Implementation Plan summary report.

Overall Target Completion Date (no later than September 30, 2016) [09/30/2016](#)

Overall Status - Describe the State/Territory's status toward complete implementation for any requirement(s) not fully implemented (not yet started, partially implemented, substantially implemented, other) [Other](#)

Implemented requirement(s) - Identify any requirement(s) implemented to date if applicable

Unmet requirement - Identify the requirement(s) to be implemented [A graduated phase-out of assistance for families whose income has increased at the time of re-determination, but remains below the federal threshold of 85% of State median income.](#)

Tasks/Activities - What specific steps will you take to implement the unmet requirement (e.g., legislative or rule changes, modify agreements with coordinating agencies, etc.)

[TWC does not have a policy requiring a graduated phaseout of care for Boards whose income eligibility threshold is below 85 percent SMI and will develop one.](#)

Board and Stakeholder Input: 10/2/2015 - 12/23/2015

Develop and Approve Policy Concept: 12/24/2015 - 3/22/2016

Propose Policy or Rule for Public Comment: 4/15/2016 - 5/31/2016

Public/Board Comment: 5/31/2016 - 7/18/2016

Adopt Policy or Rule: 7/18/2016 - 9/30/2016

Projected start date for each activity: 10/02/2015

Projected end date for each activity: 09/30/2016

Agency - Who is responsible for complete implementation of this activity
TWC

Partners - Who is the responsible agency partnering with the State/Territory lead agency to complete implementation of this activity

All 28 Boards are partners.

3.1.6 Fluctuation in Earnings

The CCDBG Act of 2014 added a requirement that the Plan shall demonstrate how the State/Territory's (or designated local entity) processes for initial determination and redetermination take into account irregular fluctuations in earnings. (658E(c)(2)(N)(i)(II))

Note - this change requires that States and Territories have policies to account for the fact that some parents with seasonal or other types of work schedules may have irregular earnings over the course of a year, including changes that temporarily exceed 85% of SMI. States and Territories should have procedures to guide how eligibility and copayments are set in a manner to take such circumstances into account. For example, averaging family income over a period of time to broaden the scope of income verification to be more reflective of annual income rather than tied to a limited time frame that may have seasonal irregularities.

Describe the status of the State/Territory's policy related to the fluctuation in earnings requirement.

Fully implemented and meeting all Federal requirements outlined above by March 1, 2016.

List the Lead Agency's policy citation(s) and describe the circumstances that cover irregular fluctuations of earnings pursuant to this requirement

- Not implemented. If not implemented, the State/Territory must provide a State/Territory-specific implementation plan for achieving compliance with this requirement, including planned activities, necessary legislative or regulatory steps to complete, and target completion date (no later than September 30, 2016). Please provide brief text responses and descriptions only. Do not cut and paste charts or tables here. Your responses will be consolidated electronically into an Implementation Plan summary report.

Overall Target Completion Date (no later than September 30, 2016) [09/30/2016](#)

Overall Status - Describe the State/Territory's status toward complete implementation for any requirement(s) (not yet started, partially implemented, substantially implemented, other)

Implemented requirement(s) - Identify any requirement(s) implemented to date if applicable

Unmet requirement - Identify the requirement(s) to be implemented [A process for initial determination and redetermination take into account irregular fluctuations in earnings.](#)

Tasks/Activities - What specific steps will you take to implement the unmet requirement (e.g., legislative or rule changes, modify agreements with coordinating agencies, etc.)

Board and Stakeholder Input: 10/2/2015 - 12/23/2015

Develop and Approve Policy Concept: 12/24/2015 - 3/22/2016

Propose Policy or Rule for Public Comment: 4/15/2016 - 5/31/2016

Public/Board Comment: 5/31/2016 - 7/18/2016

Adopt Policy or Rule: 7/18/2016 - 9/6/2016

Projected start date for each activity: [10/02/2015](#)

Projected end date for each activity: [09/30/2016](#)

Agency - Who is responsible for complete implementation of this activity

TWC

Partners - Who is the responsible agency partnering with the State/Territory lead agency to complete implementation of this activity

28 Local Workforce Development Boards

3.1.7 Describe how the Lead Agency documents, verifies and maintains applicant information.

Check the information that the Lead Agency documents. There are no federal requirements for specific documentation or verification procedures.

Reminder - Lead Agencies are reminded that, for purposes of implementing the citizenship verification requirements mandated by title IV of Personal Responsibility and Work Opportunity Reconciliation Act, only the citizenship and immigration status of the child, who is the primary beneficiary of the child care benefit, is relevant for eligibility purposes (ACYF-PI-CC-98-08). States may not deny child care benefits to an eligible child because the parent(s), legal guardians, persons standing in loco parentis, or other household members have not provided information regarding their immigration status. In addition, verification of child citizen status is not required when the child is served in a program meeting Early Head Start/Head Start standards, such as in Early Head Start - Child Care Partnerships, or public educational standards which may include pre-k settings (<http://www.acf.hhs.gov/programs/occ/resource/pi-2008-01>).

Applicant identity.

Describe:

Documentation requirements vary by Board. Examples include driver license, birth certificate, government-issued photo ID, or U.S. passport. Boards validate identity information such as date of birth, name, and Social Security number (SSN) (if provided) of parents and children through a data-match process with state and federal databases.

Applicant's relationship to the child.

Describe:

Acceptable documentation includes the child's birth certificate or hospital or public health birth record.

In cases of in loco parentis documentation, Boards must verify the reason the parent is unavailable to care for the child. Examples of acceptable documentation include the following:

- Military orders;

- **A document from a licensed medical professional stating the medical condition that makes the parent unable to care for his or her child;**
- **A "commitment" order from the court; or**
- **A sworn affidavit of facts attesting to the circumstances of how and why the caretaker assumed responsibility for the child, the whereabouts of the natural parent(s), the caretaker's relationship to the child, and the length of time the child has been with the caretaker.**

Additionally, Boards must verify that the caretaker is responsible for the child.

Examples of acceptable documentation include the following:

- **Military power of attorney appointing the caretaker as the guardian of the child; and**
- **Notarized power of attorney or a sworn affidavit of temporary custody/guardianship of the child and one of the following:**
 - **The caretaker's most recent Internal Revenue Service (IRS) tax return listing the child as a dependent;**
 - **A letter from a child care center or other independent, nonrelative, verifiable source that can establish the individual's parental and financial responsibility for the child;**
 - **A letter from an independent school district; or**
 - **Documentation that the caretaker is receiving TANF benefits on behalf of the child, or has received benefits within the past six months.**



Child's information for determining eligibility (e.g., identity, age, etc.).

Describe:

Acceptable documentation includes birth certificate, U.S. passport, hospital or public health birth record, church or baptismal record (U.S. or its possessions), TANF, SNAP, Medicaid, or other public assistance documentation, or documentation proving Qualified Alien status.



Work.

Describe:

Documentation requirements vary by Board. Examples include pay stubs and pay statements, time sheets, and employer verifications.



Job Training or Educational Program.

Describe:

Documentation requirements vary by Board. Examples include proof of course enrollment, course schedule, or transcripts.

Family Income.

Describe:

Documentation requirements vary by Board. Examples include check stubs or tax return.

Household composition.

Describe:

Applicant Residence.

Describe:

County of Residence-Documentation requirements vary by Board. Examples include utility bill, rental agreement, lease, or home title.

Other.

Describe:

Reminder - Lead Agencies are reminded that, for purposes of implementing the citizenship verification requirements mandated by title IV of Personal Responsibility and Work Opportunity Reconciliation Act, only the citizenship and immigration status of the child, who is the primary beneficiary of the child care benefit, is relevant for eligibility purposes (ACYF-PI-CC-98-08). States may not deny child care benefits to an eligible child because the parent(s), legal guardians, persons standing in loco parentis, or other household members have not provided information regarding their immigration status. In addition, verification of child citizen status is not required when the child is served in a program meeting Early Head Start/Head Start standards, such as in Early Head Start - Child Care Partnerships, or public educational standards which may include pre-k settings (<http://www.acf.hhs.gov/programs/occ/resource/pi-2008-01>).

3.1.8 Which strategies, if any, will the Lead Agency use to assure the timeliness of eligibility determinations upon receipt of applications?

Time limit for making eligibility determinations.

Describe length of time :

TWC Child Care Services rule §809.71(6) requires that a parent be notified of his or her eligibility to receive child care services within 20 calendar days of the day the Board's child care contractor receives all necessary documentation required to determine eligibility for child care.

Track and monitor the eligibility determination process

Other.

Describe:

None

3.1.9 Informing parents who receive TANF benefits about the exception to the individual penalties associated with the TANF work requirement

Per CCDF regulations, Lead Agencies are required to inform parents who receive TANF benefits about the exception to the individual penalties associated with the work requirement for any single custodial parent who has a demonstrated inability to obtain needed child care for a child under 6 years of age (98.16(9) and 98.33(b)). This requirement did not change under the reauthorization. Lead Agencies must coordinate with TANF programs to ensure, pursuant that TANF families with young children will be informed of their right not to be sanctioned if they meet the criteria set forth by the State TANF agency in accordance with section 407(e)(2) of the Social Security Act.

In fulfilling this requirement, the following criteria or definitions are applied by the TANF agency to determine whether the parent has a demonstrated inability to obtain needed child care.

NOTE: The TANF agency, not the CCDF Lead Agency, is responsible for establishing the following criteria or definitions. These criteria or definitions are offered in this Plan as a matter of public record.

a) Identify the TANF agency that established these criteria or definitions:

State/Territory TANF Agency [TWC](#). Even though the [Texas Health and Human Services Commission \(HHSC\)](#) is the state's TANF Lead Agency, [TWC](#) administers [Choices](#), which is the employment and training component of TANF in Texas.

b) Provide the following definitions established by the TANF agency.

"appropriate child care":

- **Child care provided by:**
- **relatives who meet the requirements stipulated in 45 CFR §98.2 and who are eligible under TWC rule §809.91(e);**
- **child care facilities licensed by DFPS, registered with DFPS, licensed by the Texas Department of State Health Services (DSHS) as a youth day camp, and those operated and monitored by U.S. military services; or**
- **Family homes listed with DFPS. Before authorizing child care in a DFPS "listed" home, a Board must ensure that such facilities are subject,**

under local law, to requirements designated to protect the health and safety of the children, as stipulated in 45 CFR §98.41.

"reasonable distance":

TWC grants Boards the authority to define "reasonable distance" for each workforce area based on the area's specific geography and transportation systems.

"unsuitability of informal child care":

Any informal child care that does not meet the definition of appropriate child care, or is deemed inappropriate by the parent, is considered "unsuitable."

"affordable child care arrangements":

Child care arrangements that fall within the maximum rates established by each Board. Parents participating in Choices are exempt from co-pays.

c) How are parents who receive TANF benefits informed about the exception to individual penalties associated with the TANF work requirements?

In writing

Verbally

Other.

Describe:

TANF parents are informed about exceptions at the Workforce Orientation for Applicants.

List the citation to this TANF policy.

List:

TWC Choices rule §811.11(a)(2)

3.1.10 The Lead Agency certifies that it will require a family member to certify that the family assets do not exceed \$1,000,000. A check-off on the application is sufficient

Yes. The Lead Agency certifies that it will require families to certify that the family assets do not exceed \$1,000,000 no later than September 30, 2016.

3.2 Increasing Access for Vulnerable Children and Families

At a minimum, CCDF requires Lead Agencies to give priority for child care assistance to children with special needs, or in families with very low incomes. This did not change under reauthorization. Prioritization of CCDF assistance services is not limited to eligibility determination (i.e., establishment of a waiting list or ranking of eligible families in priority order to be served). Lead Agencies may fulfill priority requirements in other ways such as higher payment rates for providers caring for children with special needs or waiving co-payments for families with very low incomes (at or below the federal poverty level). (658E(c)(3)(B))

3.2.1 Describe how the Lead Agency will prioritize or target child care services for the following children and families (658E(c)(3)(B)), including definitions, any time limits, grace periods or priority rules in the description:

a. Provide definition of "Children with special needs": A child:receiving or needing to receive protective services; of a qualified veteran; of a foster youth; of a parent in military deployment; of teen parents; or with disabilities.

and describe how services are prioritized:

Children with special needs are in the second priority group and are served prior to other CCDF-eligible children subject to the availability of funds (TWC Child Care Services rule §809.43(a)(2)).

b. Provide definition of "Families with very low incomes": Children of:Choices participants; TANF applicants; SNAP E&T participants; and parents eligible for Transitional child care.

and describe how services are prioritized:

Children in families with very low incomes are in the first priority group and are assured child care services (TWC Child Care Services rule §809.43(a)).

c. Describe how services for families receiving Temporary Assistance for Needy Families (TANF), those attempting to transition off TANF through work activities, and those at risk of becoming dependent on TANF are prioritized (Section 418(b)(2) of the Social Security Act)

1. TANF applicants are prioritized at 12 months. Time limits for Transitional child care are prioritized at:

- 12 months if employed when leaving TANF; or**
- 18 months if employed when leaving TANF, if the parent was eligible for the child caretaker exemptions but voluntarily participated in Choices.**

The parent share of cost is waived for all parents participating in Choices and SNAP E&T child care.

TWC rules allow Boards to establish higher income limits for Transitional child care. The parent share of cost is not waived for Transitional child care.

3.2.2 Improving Access for Homeless Children and Families.

The CCDBG Act of 2014 places greater emphasis on serving homeless children and families. Stable access to high-quality child care provides tremendous benefits to all children, especially our most vulnerable children. Children and families who experience homelessness face many challenges. Improving access to child care can buffer children and families from the challenges and risks associated with homelessness by supporting children's learning and development in safe, stable and nurturing environments. Under the new law, States and Territories are required to use CCDF funds to 1) allow homeless children to receive CCDF assistance after an initial eligibility determination but before providing required documentation (including documentation related to immunizations); 2) providing training and technical assistance to child care providers on identifying and serving homeless children and families (addressed in Section 6); and 3) conduct specific outreach to homeless families. (658E(c)(3))

States and Territories also must establish a grace period that allows homeless children and children in foster care (if served by the Lead Agency) to receive CCDF assistance while their families are taking the necessary actions to comply with immunization and other health and safety requirements as described in Section 5. This flexibility will make it significantly easier for these vulnerable families to access child care services. This language is consistent with current requirements established through CCDF regulations in 1998, which required a grace period in which children can receive services while families take the necessary actions to comply with the immunization requirements. (658E(c)(2)l(i)(I)) ACF recommends States and Territories consult the definition of homeless in the McKinney-Vento Act (section 725 of subtitle VII-B) as you implement the requirements of this section as that definition is consistent with the required CCDF administrative data reporting requirements.

Describe the status of the State/Territory's procedures to enroll and provide outreach to homeless families and establish a grace period for children in foster care, if served, for meeting immunization requirements

Fully implemented and meeting all Federal requirements outlined above by March 1, 2016. Describe the following:

a. Procedures to increase access to CCDF subsidies for homeless children and families, including the grace period to comply with immunization and health and safety requirements

b. Procedures to conduct outreach to homeless families to improve access to child care services

c. Procedures to provide a grace period to comply with immunization and other health and safety requirements to expedite enrollment for children who are in foster care if served by the Lead Agency to improve access to child care services

Not implemented. If not implemented, the State/Territory must provide a State/Territory-specific implementation plan for achieving compliance with this requirement, including planned activities, necessary legislative or regulatory steps to complete, and target completion date (no later than September 30, 2016). Please provide brief text responses and descriptions only. Do not cut and paste charts or tables here. Your responses will be consolidated electronically into an Implementation Plan summary report.

Overall Target Completion Date (no later than September 30, 2016) [09/30/2016](#)

Overall Status - Describe the State/Territory's overall status toward complete implementation for this requirement(s) (not yet started, partially implemented, substantially implemented, other) [Partially implemented](#)

Implemented requirement(s) - Identify any requirement(s) implemented to date if applicable

[DFPS Child Care Licensing regulations provide a 30-day grace period to comply with immunization and other health and safety requirements to expedite enrollment for children who are in foster care.](#)

Unmet requirement - Identify the requirement(s) to be implemented [1\) allow homeless children to receive CCDF assistance after an initial eligibility determination but before providing required documentation \(including documentation related to immunizations\);](#)

Tasks/Activities - What specific steps will you take to implement the unmet requirement (e.g., legislative or rule changes, modify agreements with coordinating agencies, etc.)

[Board and Stakeholder Input: 10/2/2015 - 12/23/2015](#)

Develop and Approve Policy Concept: 12/24/2015 - 3/22/2016

Propose Policy or Rule for Public Comment: 4/15/2016 - 5/31/2016

Public/Board Comment: 5/31/2016 - 7/18/2016

Adopt Policy or Rule: 7/18/2016 - 9/6/2016

Projected start date for each activity: 10/02/2015

Projected end date for each activity: 09/06/2016

Agency - Who is responsible for complete implementation of this activity

TWC

Partners - Who is the responsible agency partnering with the State/Territory lead agency to complete implementation of this activity

All 28 Boards, the Texas Education Agency (TEA), Independent School Districts, and DFPS

Unmet requirement - Identify the requirement(s) to be implemented 2) providing training and technical assistance to child care providers on identifying and serving homeless children and families (addressed in Section 6); and

Tasks/Activities - What specific steps will you take to implement the unmet requirement (e.g., legislative or rule changes, modify agreements with coordinating agencies, etc.)

Board and Stakeholder Input: 10/2/2015 - 12/23/2015

Develop and Approve Policy Concept: 12/24/2015 - 3/22/2016

Propose Policy or Rule for Public Comment: 4/15/2016 - 5/31/2016

Public/Board Comment: 5/31/2016 - 7/18/2016

Adopt Policy or Rule: 7/18/2016 - 9/6/2016

Projected start date for each activity: 10/02/2015

Projected end date for each activity: 09/30/2016

Agency - Who is responsible for complete implementation of this activity

TWC

Partners - Who is the responsible agency partnering with the State/Territory lead agency to complete implementation of this activity

All 28 Boards, the Texas Education Agency (TEA), Independent School Districts, and DFPS

3.3 Protection for Working Parents

3.3.1 Twelve Month Eligibility

The CCDBG Act of 2014 establishes a 12-month eligibility period for CCDF families. States are required to demonstrate in the Plan that no later than September 30, 2016 each child who receives assistance will be considered to meet all eligibility requirements for such assistance and will receive such assistance, for not less than 12 months before the State redetermines the eligibility of the child, regardless of changes in income (as long as income does not exceed the federal threshold of 85% of State median income) or temporary changes in participation in work, training, or education activities. (658E(c)(2)(N)(i) &(ii))

Note that this change means a State may not terminate CCDF assistance during the 12 month period if a family has an increase in income that exceeds the State's income eligibility threshold, but not the federal threshold of 85% SMI.

In addition, this change means the State may not terminate assistance prior to the end of the 12 month period if family experiences a temporary job loss or temporary change in participation in a training or education activity. For example, if a working parent is temporarily absent from employment due to extended medical leave, changes in seasonal work schedule, or a parent enrolled in training or educational program is temporarily not attending class between semesters, the state should not terminate assistance.

Describe the status of the State's establishment of a 12-month eligibility re-determination period for CCDF families.

Fully implemented and meeting all Federal requirements outlined above by March 1, 2016. List the Lead Agency's policy citation(s) and describe circumstances considered temporary changes in work, education or training that are not subject to termination

List the Lead Agency's policy citation(s) and describe circumstances considered temporary changes in work, education or training that are not subject to termination

Not implemented. If not implemented, the State/Territory must provide a State/Territory-specific implementation plan for achieving compliance with this requirement, including planned activities, necessary legislative or regulatory steps to

complete, and target completion date (no later than September 30, 2016). Please provide brief text responses and descriptions only. Do not cut and paste charts or tables here. Your responses will be consolidated electronically into an Implementation Plan summary report.

Overall Target Completion Date (no later than September 30, 2016) [09/30/2016](#)

Overall Status - Describe the State/Territory's status toward complete implementation for any requirement(s) (not yet started, partially implemented, substantially implemented, other) [Not yet started](#)

Implemented requirement(s) - Identify any requirement(s) implemented to date if applicable

Unmet requirement - Identify the requirement(s) to be implemented [A minimum 12-month eligibility and redetermination period for CCDF families.](#)

Tasks/Activities -What specific steps will you take to implement the unmet requirement (e.g., legislative or rule changes, modify agreements with coordinating agencies, etc.)

[Board and Stakeholder Input: 10/2/2015 - 12/23/2015](#)

[Develop and Approve Policy Concept: 12/24/2015 - 3/22/2016](#)

[Propose Policy or Rule for Public Comment: 4/15/2016 - 5/31/2016](#)

[Public/Board Comment: 5/31/2016 - 7/18/2016](#)

[Adopt Policy or Rule: 7/18/2016 - 9/6/2016](#)

Projected start date for each activity: [10/02/2015](#)

Projected end date for each activity: [09/30/2016](#)

Agency - Who is responsible for complete implementation of this activity
TWC

Partners - Who is the responsible agency partnering with the State/Territory lead agency to complete implementation of this activity

[Boards](#)

3.3.2 State and Territory option to terminate assistance prior to 12 months

The CCDBG Act of 2014 provides States and Territories the option - but does not require them - to terminate assistance prior to re-determination at 12 months if a parent loses employment or if he or she stops attending a job training or education program (i.e., if the parent experiences a non-temporary change in their status as working, or participating in a training or education program). However, prior to terminating the subsidy, the State/Territory must provide a period of continued child care assistance of at least 3 months to allow parents to engage in job search, resume work, or to attend an education or training program as soon as possible.

(658E(c)(2)(N)(iii)) Nothing in the statute prohibits the State/Territory from starting a new 12-month eligibility and redetermination period if families are eligible at the end of their job search, training or education attendance period.

Note that unless the State allows a minimum 3-month job search period - the State/Territory may not exercise the option to terminate assistance based on a parent's non-temporary job loss or cessation of attendance at a job training or educational program prior to the end of the minimum 12-month eligibility and re-determination period. The statute does not specify any documentation that States/Territories must require parents to submit regarding activities during periods of job search or finding training or education program requirements for this period.

Does the State/Territory terminate assistance prior to 12 months due to a parent's non-temporary loss of work or cessation of attendance at a job training or education program?

- Yes, the State/Territory terminates assistance prior to 12 months due to parent's loss of work or cessation of attendance at a job training or education program ONLY.
List the Lead Agency's policy citation(s) and describe the circumstances considered to be non-temporary job, education or training loss and provide the duration allowed for job search or resuming attendance in training or education programs

TWC policy is under development according to the following timeline:

Board and Stakeholder Input: 10/2/2015 - 12/23/2015

Develop and Approve Policy Concept: 12/24/2015 - 3/22/2016

Propose Policy or Rule for Public Comment: 4/15/2016 - 5/31/2016

Public/Board Comment: 5/31/2016 - 7/18/2016

Adopt Policy or Rule: 7/18/2016 - 9/6/2016

No, the State/Territory does not allow this option.

3.3.3 Prevent Disruption of Work

The CCDBG Act of 2014 added a requirement that States and Territories must describe in the Plan the procedures and policies in place to ensure that parents (especially parents in families receiving assistance under TANF) are not required to unduly disrupt their employment, education or job training activities in order to comply with the State/Territory's or designated local entity's requirements for redetermination of eligibility for assistance. (658E(c)(2)(N)(ii)) Examples include implementing re-determination strategies to verify income and employment electronically as opposed to more onerous practices such as asking parents and families to come to the subsidy office for an in-person visit, or aligning eligibility with other early care and education or public benefits programs to collect information centrally. The process by which States and Territories collect eligibility documentation represents a potential barrier to services, particularly when documentation can only be provided in-person during standard work hours. States and Territories can offer a variety of family-friendly mechanisms for submitting documentation for eligibility determinations and/or re-determination.

Describe the status of the State/Territory's redetermination procedures and policies to ensure that parents (especially parents receiving TANF) do not have their employment, education or job training unduly disrupted in order to comply with the State/Territory's or designated local entity's requirements for redetermination of eligibility.

Fully implemented and meeting all Federal requirements outlined above by March 1, 2016.

List the Lead Agency's policy citation(s) and describe the policies and procedures for not unduly disrupting employment

TWC rules, [Chapter 801.25](#) contains requirements for all workforce services, including that

- Boards have written procedures that define the steps taken to minimize customer wait times; and***
- if a Workforce Solutions Office does not provide all services and programs on-site electronic access to such services is provided, for example, by making access available through computer applications or by telephone conferencing.***

Boards do not require working parents to come to workforce offices in order to submit eligibility documentation. Boards accept documentation by fax, mail, or e-mail.

Additionally, some Board offices may be open after standard work hours, and some Board locations have a drop box in which parents can submit documentation if the office is closed.

Not implemented. If not implemented, the State/Territory must provide a State/Territory-specific implementation plan for achieving compliance with this requirement, including planned activities, necessary legislative or regulatory steps to complete, and target completion date (no later than September 30, 2016). Please provide brief text responses and descriptions only. Do not cut and paste charts or tables here. Your responses will be consolidated electronically into an Implementation Plan summary report.

Overall Target Completion Date (no later than September 30, 2016)

Overall Status - Describe the State/Territory's overall status toward complete implementation for this requirement(s) (not yet started, partially implemented, substantially implemented, other) [Not yet started](#)

Implemented requirement(s) - Identify any requirement(s) implemented to date if applicable

Tasks/Activities - What specific steps will you take to implement the unmet requirement (e.g., legislative or rule changes, modify agreements with coordinating agencies, etc.)

Projected start date for each activity:

Projected end date for each activity:

Agency - Who is responsible for complete implementation of this activity

Partners - Who is the responsible agency partnering with the State/Territory lead agency to complete implementation of this activity

[3.4 Family Contribution to Payment](#)

The statute requires Lead Agencies to establish a sliding fee scale that varies based on income and the size of the family to be used in determining each family's contribution (i.e., co-payment) to the cost of child care that is not a barrier to families receiving CCDF. (658E(c)(5) In addition to income and size of the family, the Lead Agency may use other factors when determining family contributions/co-payments. The sliding fee scale is subject to review by ACF as part of ongoing monitoring efforts to CCDBG compliance.

3.4.1 Provide the CCDF copayments in the chart below according to family size.

Note - If the sliding fee scale is not statewide, check here and describe how many jurisdictions set their own sliding fee scale

TWC requires the 28 Boards to have a policy that assesses a parent share of cost based on family size and income. TWC requires that the Board-established parent share of cost allow for fluctuations within a range of income without requiring an increase in the parent share of cost.

In the chart below Family Size of 1 is NA because it only applies to foster and protective services children. They are exempt from income and parent share of cost requirements.

Fill in the chart based on the most populous area of the State.

Family Size	(a) Lowest "Entry" Income Level Where Copayment First Applied	(b) What is the monthly copayment for a family of this size upon initial entry into CCDF?	(c) What is the percent of income for (b)?	(d) Maximum Highest "Entry" Income Level Before No Longer Eligible	(e) What is the monthly copayment for a family of this size upon initial entry into CCDF?	(f) What is the percent of income for (e)?
1	NA	NA	NA	NA	NA	NA
2	\$12	\$12	100%	\$2655	\$360	13.5%
3	\$12	\$12	100%	\$3348	\$360	10.8%
4	\$12	\$12	100%	\$4042	\$360	8.9%
5	\$12	\$12	100%	\$4735	\$360	7.6%

a) What is the effective date of the sliding fee scale(s)? [10/01/2015](#)

b) Provide the link to the sliding fee scale <http://www.twc.state.tx.us/programs/child-care-services-program-overview>

**3.4.2 How will the family's contribution be calculated and to whom will it be applied?
Check all that the Lead Agency has chosen to use.**

- Fee as dollar amount and
 - Fee is per child with the same fee for each child
 - Fee is per child and discounted fee for two or more children
 - Fee is per child up to a maximum per family
 - No additional fee charged after certain number of children
 - Fee is per family
- Fee as percent of income and
 - Fee is per child with the same percentage applied for each child
 - Fee is per child and discounted percentage applied for two or more children
 - Fee is per child up to a maximum per family
 - No additional percentage applied charged after certain number of children
 - Fee is per family
 - Contribution schedule varies because it is set locally/regionally (as indicated in 1.2.1).

Describe:

Local Workforce Development Boards (Boards) establish parent share of cost amounts.

Other.

Describe:

3.4.3 Will the Lead Agency use other factors in addition to income and family size to determine each family's copayment? (658E(c)(3)(B))

- Yes, and describe those additional factors using the checkboxes below.
 - Number of hours the child is in care
 - Lower copayments for higher quality of care as defined by the State/Territory
 - Other.

Describe other factors.

When determining the parent share of cost, Boards also consider whether care is full day or part day and full week or part week.

No.

3.4.4 The Lead Agency may waive contributions/co-payments from families whose incomes are at or below the poverty level for a family of the same size.

Will the Lead Agency waive family contributions/co-payments?

Yes, the Lead Agency waives family contributions/co-payments for families with income at or below the poverty level for families of the same size.

The poverty level used by the Lead Agency for a family size of 3 is \$

No, the Lead Agency does not waive family contributions/co-payments

3.4.5 How will the Lead Agency ensure the family contribution/co-payment, based on a sliding fee scale, is affordable?

Check all that apply:

Limits the maximum co-payment per family.

Describe:

Limits combined amount of copayment for all children to a percentage of family income. List the percentage of the copayment limit.

Describe:

Minimizes the abrupt termination of assistance before a family can afford the full cost of care ("the cliff effect") as part of the graduated phase-out of assistance discussed in 3.1.5.

Describe:

TWC allows Boards to establish a policy that maintains the parent share of cost as assessed at the initial eligibility determination or redetermination regardless of fluctuations in family income during the eligibility period (as long as the income does

not exceed 85 percent SMI).

- Does not allow providers to charge families the difference between the maximum payment rate (addressed in section 4) and their private pay rate in addition to the copayment they are paying.

Describe:

TWC rules prohibit providers from charging Choices and SNAP E&T families the difference. Additionally, TWC rules allow Boards to have a policy to prohibit providers from charging the difference to all families.

- Covers all fees (such as registration, supplies, field trips) to minimize the additional fees charged to the families by the provider.

Describe:

TWC requires Boards to include standard fees for enrollment, supplies, and activities in the calculation of the Board's published rate. Providers whose published rates are below a Board's maximum rate are not allowed to charge these fees to parents.

- Other.

Describe:

4 Ensure Equal Access to High Quality Child Care for Low-Income Children

The 2014 reauthorization of the CCDBG Act is designed to help States and Territories advance improvements to the quality of child care in order to promote the healthy social-emotional, cognitive and physical development of participating children. Ensuring that low-income and vulnerable children can access high-quality care (and remain enrolled to school entry and beyond) is an equally important purpose of CCDBG. Payment levels and policies have a major impact on access.

The CCDBG Act of 2014 revises the requirement for a market rate survey (MRS) so that: 1) it must be statistically valid and reliable; and (2) it must reflect variations in the cost of child care services by geographic area, type of provider, and age of child. Also, a State/Territory may develop and conduct an alternative methodology for setting payment rates, such as a cost estimation model, to take into account the cost of meeting quality requirements.

To provide stability of funding and encourage more child care providers to participate in the subsidy program, the State/Territory's payment practices for CCDF child care providers must reflect generally accepted payment practices of non-CCDF child care providers in the State/Territory, such as paying for supplies, field trips, registration fees. In addition, to the extent practicable, the State/Territory must implement enrollment and eligibility policies that support the fixed costs of providing child care services by delinking provider payments from a child's occasional absence due to holidays or unforeseen circumstances such as illness or closures due to emergency.

The CCDBG Act of 2014 added a provision that the State/Territory must also develop and implement strategies to increase the supply and improve the quality of child care services for: (1) children in underserved areas; (2) infants and toddlers; (3) children with disabilities (the CCDBG Act of 2014 added a new definition of child with disability (658(P)(3)); and (4) children who receive care during non-traditional hours. With respect to investments to increase access to programs providing high-quality child care and development services, the State/Territory must give priority to children of families in areas that have significant concentrations of poverty and unemployment and that do not have such programs. (658 E(c)(2)(M))

4.1 Parental Choice In Relation to Certificates, Grants or Contracts

The parent(s) of each eligible child who receive(s) or is offered financial assistance for child care services has the option of either enrolling such child with a provider that has a grant or contract for the provision of service or receiving a child care certificate. (658E(c)(2)(A)) This did not change under the CCDBG Act of 2014.

4.1.1 Describe how the parent of each eligible child is advised that the Lead Agency offers the option of selecting a provider that has a grant or contract or receiving a child care certificate (658E(c)(2)(A)(i), 658P(2))

Texas Workforce Commission (TWC)-subsidized child care is provided through a child care certificate furnished to eligible parents.

4.1.2 Describe how the parent is informed of the option to choose from a variety of child care categories - such as private, not-for-profit, faith-based providers (if using a certificate), centers, family child care homes, or in-home providers (658E(c)(2)(A)(i),

658P(2), 658Q)

- Certificate form provides information about the choice of providers, including high quality providers
- Certificate is not linked to a specific provider so parents can choose provider of choice
- Consumer education materials on choosing child care
- Referral to child care resource and referral agencies
- Co-located resource and referral in eligibility offices
- Verbal communication at the time of application
- Community outreach, workshops or other in-person activities
- Other.

Describe

TWC and Local Workforce Development Boards (Boards) use the following: Consumer education materials (flyers, forms, brochures), verbal communication at the time of application, agency-e.g., the Texas Department of Family and Protective Services (DFPS) and 2-1-1 Texas-and Board websites. There are multiple points of communication through the eligibility and renewal process.

TWC rules require Boards to inform parents of child care options by providing a description of the full range of eligible child care providers, including:

- ***licensed child care centers;***
- ***licensed child care homes;***
- ***registered child care homes; and***
- ***the option to choose an eligible relative.***

Additionally, TWC rules require Boards to provide parents with:

- ***a description of programs available in the local workforce development area (workforce area) relating to Texas Rising Star (TRS) provider certification, providers participating in the Texas School Ready! (TSR!) project, and other quality rating systems, including national accreditations;***
- ***DFPS' website and telephone number, so parents can obtain health and safety requirements for regulated child care providers; and***
- ***information about 2-1-1 Texas.***

Additionally, TWC distributes a brochure to Boards providing information for parents to consider when choosing child care, including quality considerations.

Texas Government Code §2308.3171 requires that Boards post a list of child care providers that have met a quality indicator in a prominent place on the Board's website. The statute also requires any child care provider that cares for subsidized children to post its quality indicator at the entrance of the provider's facility.

4.1.3 Child Care Services Available through Grants or Contracts

a) In addition to offering certificates, does the Lead Agency provide child care services through grants or contracts for child care slots? (658A(b)(1) **Note:** Do not check "yes" if every provider is simply required to sign an agreement in order to be paid in the certificate program.

Yes. If yes, **describe**

the type(s) of child care services available through grants or contracts

the entities who receive contracts (e.g., shared services alliances, child care resource and referral agencies, family child care networks, community based agencies, child care providers, etc.)

the process for accessing grants or contracts

the range of providers available through grants or contracts

how rates for contracted slots are set for grants and contracts

how the State/Territory determines which entities to contract with for increasing supply and/or improving quality

if contracts are offered statewide and/or locally:

No. If no, skip to 4.1.4.

b) Will the Lead Agency use grants or contracts for child care services to achieve any of the following (check all that apply):

Increase the supply of specific types of care with grants or contracts
for:

Programs to serve children with disabilities

Programs to serve infants and toddlers

- Programs to serve school-age children
- Programs to serve children needing non-traditional hour care
- Programs to serve homeless children
- Programs to serve children in underserved areas
- Programs that serve children with diverse linguistic or cultural backgrounds
- Programs that serve specific geographic areas
 - Urban
 - Rural
- Other.

Describe:

- Improve the quality of child care programs with grants or contracts for:
 - Programs providing comprehensive services, such as integrated child care in Head Start, Early Head Start, summer or other programs
 - Programs meeting higher quality standards, such as higher rated QRIS programs, accreditation or state pre-k programs that meet higher quality standards
 - Programs that provide financial incentives to teaching staff linked to higher education and qualifications link increased education requirements to higher compensation
 - Programs to serve children with disabilities or special needs
 - Programs to serve infants and toddlers
 - Programs to serve school-age children
 - Programs to serve children needing non-traditional hour care
 - Programs to serve homeless children
 - Programs to serve children in underserved areas
 - Programs that serve children with diverse linguistic or cultural backgrounds
 - Programs that serve specific geographic areas
 - Urban
 - Rural
 - Other.

Describe:

4.1.4 The Lead Agency certifies policies and procedures are in place that afford parents unlimited access to their children whenever their children are in the care of a provider who receives CCDF funds.

(658E(c)(2)(B)) This requirement did not change under the CCDBG Act of 2014. Describe the policies and procedures for unlimited access

Describe the policies and procedures for unlimited access

By state statute, all areas of a licensed facility must be accessible during the facility's hours of operation to a parent of a child who is receiving care at the facility. During the eligibility process, the child care contractor informs parents of their rights and responsibilities, including the right to:

- ***visit child care facilities;***
- ***make telephone inquiries prior to enrolling; and***
- ***observe providers at any time after the child is enrolled.***

Child care contractors discuss parental concerns with the facility's director or owner and ensure that parental rights are respected.

4.1.5 The Lead Agency must allow for in-home care (i.e., care provided in the child's own home) but may limit its use. Will the Lead Agency limit the use of in-home care in any way?

Yes. If checked, what limits will the Lead Agency set on the use of in-home care?

Check all that apply.

Restricted based on minimum number of children in the care of the provider to meet minimum wage law or Fair Labor Standards Act

Describe:



Restricted based on provider meeting a minimum age requirement

Describe:

In-home providers must be at least 18 years of age.



Restricted based on hours of care (certain number of hours, non-traditional work hours)

Describe:

In-home care is allowed if a parent has nontraditional work hours (evenings, nights, and/or weekends).

Restricted to care by relatives

Describe:

In-home providers must be eligible relatives.

Restricted to care for children with special needs or medical condition

Describe:

In-home care is allowed for children with disabilities (and the children's siblings).

Restricted to in-home providers that meet some basic health and safety requirements

Describe:

In-home providers must list with DFPS as a family home and must undergo a criminal background check and check against the sex offender registry and central child abuse and neglect registry.

Other

Describe:

A Board may allow relative in-home child care for circumstances in which the Board's child care contractor determines and documents that other child care provider arrangements are not available in the community.

No.

4.2 Assessing Market Rates and Child Care Costs

The new law revises the requirement for a market rate survey (MRS) so that: (1) it must be statistically valid and reliable; and (2) it must reflect variations in the cost of child care services by geographic area, type of provider, and age of child (658E(c)(4)(B)). A State/Territory has the option to develop and use a statistically valid and reliable alternative methodology for setting payment rates, such as a cost estimation model. Any payment rates established using an

alternative methodology or market rate survey must be reviewed and approved by ACF as part of the CCDF Plan review process. Because the alternative methodology is a new basis for setting payment rates, we highly recommend any State or Territory considering an alternative methodology to submit a description of its proposed approach to the ACF Regional Office in advance of the Plan submittal in order to avoid delays with Plan approval. (see <http://www.acf.hhs.gov/programs/occ/resource/ccdf-reauthorization-faq>).

The MRS or alternative methodology must be developed and conducted no earlier than two years before the date of submission of the Plan (instead of two years before the effective date of the Plan, as previously required for the MRS).

The State must consult with the State Advisory Council, local child care program administrators, local child care resource and referral agencies, and other appropriate entities prior to developing and conducting the MRS or alternative methodology.

The State must prepare a detailed report containing the results of the MRS or alternative methodology. The State must make the report with these results widely available no later than 30 days after completion of the MRS or alternative methodology, including by posting the results on the Internet.

The State must set CCDF subsidy payment rates in accordance with the results of the current MRS or alternative methodology. When setting payment rates, the State must take into consideration the cost of providing higher quality child care services than were provided prior to November 2014 (e.g., tiered reimbursement or other methods) and without, **to the extent practicable**, reducing the number of families receiving CCDF relative to the number served as of November 2014. In taking the cost of providing quality into consideration, it is important to consider such key factors as what it takes to support increased stability and reduced provider turnover when setting payment rates.

4.2.1 Developing and Conducting a Market Rate Survey (MRS) and/or an Alternative Methodology. Did the State/Territory conduct a statistically and valid and reliable MRS, alternative methodology or both between July 1, 2013 and March 1, 2016?

MRS

Alternative Methodology.

Describe:

Both.

Describe:

Other.

Describe:

4.2.2 Describe how the State consulted with the State Advisory Council (SAC) or other state- or state-designated cross-agency body if there is no SAC, local child care program administrators, local child care resource and referral agencies, and other appropriate entities which could include worker organizations prior to developing and conducting the MRS or alternative methodology.

Describe:

The Texas Workforce Commission (TWC) did not consult with the entities mentioned for the most recent Market Rate Survey (MRS), which was started prior to the passage of the CCDBG Reauthorization Act of 2014. However, TWC will consult with the required entities prior to conducting the next required MRS.

4.2.3 Describe how the market rate survey or alternative methodology is statistically valid and reliable.

To be considered valid and reliable, the MRS or alternative methodology must represent the child care market, provide complete and current data, use rigorous data collection procedures, reflect geographic variation, and analyze data in a manner that captures other relevant differences. For example, market rate surveys can use administrative data such as child care resource and referral data if they are representative of the market. If an alternative methodology such as cost modeling is used, demonstrate that the methodology used reliable models that estimated the cost of delivering services in center- and home-based settings at each level of quality defined by the State/Territory.

Describe:

Data Source and Sample Population

TWC contracts with the Child and Family Research Institute (CFRI) in partnership with the Ray Marshall Center (RMC) to conduct the Texas Child Care MRS on a 15-month cycle. A month before the surveys begin, the RMC obtains a list of all licensed centers and licensed and registered homes from the Texas Department of Family and

Protective Services (DFPS) to determine a target number of facilities to sample for statistically valid and stable rate estimates statewide and for each of the 28 local workforce development areas (workforce areas).

The June 2015 facility sample was determined from a list of 15,705 facilities obtained from DFPS in August 2014. First, a statewide representative sample of 1,000 facilities was randomly selected from the list to provide greater statistical power for estimating statewide rates and trends, and to increase the precision of rate estimates for the largest Boards, which provide the bulk of care in the state.

In addition to the statewide sample, another sample of 3,479 facilities was randomly selected to estimate rates at the workforce area level. This sample includes the target number of each type of facility from each workforce area projected to yield 35 independent rate observations in full-time rate categories. The projections are based on response rates to the 2003 through 2013 annual Texas Child Care MRSs and indicate that, on average, 76 licensed child care centers, 10 licensed child care homes, and 59 registered child care homes per workforce area were needed to reach the goal of 35 independent rate observations. The numbers were then increased by between 7 to 13 percent to account for workforce areas and facility types that previously showed low response rates. An assigned number of facilities were then randomly selected from each workforce area, or if fewer providers were available in any given combination of workforce area and facility type, the entire population was selected (a complete census).

Head Start facilities were excluded before the sample was drawn because they do not charge parents directly. Facilities whose only service was drop-in care were excluded at the time of the interview because they charge very high hourly rates and are not usually used by employed parents for regular care. Other types of facilities that were not included in the survey included kindergartens, summer camps, and nursery schools.

Survey and Rate Estimation Methodology

After the sample was determined, CFRI conducted the surveys by telephone interview between September 2014 and March 2015. Before the telephone interview, however, a

letter-in both English and Spanish or English and Vietnamese-was sent to each provider explaining the survey goals and objectives, confidentiality policies, and the voluntary nature of participation. The majority of the interviews were conducted in English, but the interview guides also were translated into Spanish and Vietnamese. In addition to the percentage of children enrolled that were receiving TWC/Board-subsidized child care, the survey instrument asked providers for the following:

- *Enrollment numbers and the daily rates charged for full-day (six hours or more) and part-day (fewer than six hours) care for:*
- *infants (0-17 months);*
- *toddlers (18-35 months);*
- *preschool age children (36-71 months); and*
- *school-age children (72 months and above).*
- *Information about:*
- *hours of operation;*
- *availability of care for children with disabilities;*
- *additional charges (registration/activity fees) and transportation fees;*
- *administrative category (e.g., sectarian/nonsectarian, community-based, for-profit/nonprofit); and*
- *national accreditation or Texas Rising Star (TRS) provider status.*

Daily market rates for licensed centers were gathered for all categories of care offered, regardless of whether any children were currently being served in such categories. The categories consisted of all possible combinations of age groups (gathered for actual age categories in which each center offered rates, but aggregated to the four standard categories for reporting) by full-time status (part day or full day). Thus, one center could contribute as many as eight independent rate observations, each representing any number of children (including zero). These rate observations were then weighted by the number of child care slots they represent when calculating market rate percentiles.

In contrast, market rates for home-based facilities, including registered homes and licensed homes, were gathered at the level of the individual child currently being served. Data on each child's age, detailed weekly schedule, and rates charged were gathered for purposes of calculating daily market rates. In this case, the individual children were treated as independent rate observations, and each facility could contribute as many as nine observations (or fewer, depending on the facility type and number of children enrolled). Because of this, there was no need to differentially weight the rate observations when calculating the local market rate percentiles for home-based facilities: each child (or rate) received a weight equal to one.

After the independent rate observations are obtained and evaluated, parameters that fully characterize the distribution of rates in each category of

care are estimated for the state as a whole and for each of the 28 workforce areas. The parameters are then applied, using an assumption of normality of the rate distributions, to estimate each rate percentile of interest. The advantage of this method is that a medium-to-large sample size of rates is used to estimate each parameter, which yields demonstrably more stable rates over time that fall into the expected patterns more frequently. Prior to any estimation of parameters, the daily rates are first transformed by taking the positive square root of the daily rate to make them assume a more normal distribution. This process minimizes the effect of high-end outliers on estimates of the parameters of the rate distributions. The transformations are undone later, following all estimations, by squaring the rates.

4.2.4 Describe how the market rate survey reflects variations in the price of child care services by:

a) Geographic area (e.g., statewide or local markets):

The MRS includes results by workforce area. The MRS providers are selected from a statewide list provided by DFPS. In addition to a statewide sample, another sample of facilities is randomly selected to estimate rates at the workforce area level. This sample includes a target number of each type of facility from each workforce area projected to yield 35 independent rate observations in full-time rate categories.

b) Type of provider:

The MRS includes results by each of the three types of child care provider regulated by DFPS and eligible to care for subsidized children:

- Licensed child care centers***
- Licensed child care homes***
- Registered child care homes***

The applicable facilities for the MRS are developed from a statewide list provided by DFPS of all licensed centers and licensed and registered homes in the state. However, some providers are excluded from the sample for a variety of reasons. Head Start facilities are excluded before the sample is drawn because they do not charge parents directly. Facilities whose only service is drop-in care are excluded at the time of the interview because they charge very high hourly rates and are not usually used by employed parents for regular care. Other types of facilities that are not included in the survey are listed homes, relative providers, kindergartens, summer camps, and nursery schools.

c) Age of child:

The MRS includes results by the following age groups:

- ***Infants (0-17 months);***
- ***Toddlers (18-35 months);***
- ***Preschool-age children (36-71 months); and***
- ***School-age children (72 months and above).***

The MRS instrument asked providers for enrollment numbers and the daily rates charged for full-day (six hours or more) and part-day (fewer than six hours) care for each age group.

d) Describe any other key variations examined by the market rate survey, such as quality level

The survey asks providers if they have a TRS quality designation or other national accreditation. However, the report does not disaggregate the results by TRS or other quality designator.

4.2.5 Describe the process used by the State to make the results of the market rate survey widely available to the public.

a) Date of completion of the market rate survey or alternative methodology (must be no earlier than July 1, 2013 and no later than March 1, 2016)

06/01/2015

b) Date report containing results were made widely available, no less than 30 days after the completion of the report 07/31/2015

c) How the report containing results was made widely available and provide the link where the report is posted if available

a) The results of the MRS are posted at <http://www.twc.state.tx.us/programs/texas-child-care-market-rate-survey>.

4.3 Setting Payment Rates

4.3.1 Provide the base payment rates and percentiles (based on current MRS or alternative methodology) for the following categories. The ages and types of care listed below are meant to provide a snapshot of categories on which rates may be based and are not intended to be comprehensive of all categories that may exist in your State/Territory or reflective of the terms that your State/Territory may use for particular ages. Please use the most populous geographic region (serving highest number of children).

Note - If the payment rates are not set by the State/Territory, check here

Describe how many jurisdictions set their own payment rates

The 28 Local Workforce Development Boards (Boards) establish maximum reimbursement rates.

The following rates are from Gulf Coast local workforce development area (workforce area).

a) Infant (6 months), full-time licensed center care in most populous geographic region

Rate \$ **32.91** per **day** unit of time (e.g., hourly, daily, weekly, monthly, etc.)
Percentile: **57th**

b) Infant (6 months), full-time licensed FCC care in most populous geographic region

Rate \$ **26.13** per **day** unit of time (e.g., hourly, daily, weekly, monthly, etc.)
Percentile: **49th**

c) Toddler (18 months), full-time licensed center care in most populous geographic region

Rate \$ **28.31** per **day** unit of time (e.g., hourly, daily, weekly, monthly, etc.)
Percentile: **48th**

d) Toddler (18 months), full-time licensed FCC care in most populous geographic region

Rate \$ **24.91** per **day** unit of time (e.g., hourly, daily, weekly, monthly, etc.)
Percentile: **53rd**

e) Preschooler (4 years), full-time licensed center care in the most populous geographic

region

Rate \$ 23.43 per day unit of time (e.g., hourly, daily, weekly, monthly, etc.)

Percentile: 31st

f) Preschooler (4 years), full-time licensed FCC care in the most populous geographic region

Rate \$ 18.54 per day unit of time (e.g., hourly, daily, weekly, monthly, etc.)

Percentile: 22nd

g) School-age child (6 years), full-time licensed center care in the most populous geographic region

Rate \$ 20.76 per day unit of time (e.g., hourly, daily, weekly, monthly, etc.)

Percentile: 25th

h) School-age child (6 years), full-time licensed FCC care in the most populous geographic region

Rate \$ 15.67 per day unit of time (e.g., hourly, daily, weekly, monthly, etc.)

Percentile: 15th

i) Describe the calculation/definition of full-time care:

A child enrolled in full-time care receives six to 12 hours of care in a 24-hour period.

j) Provide the effective date of the payment rates : October 1, 2015

k) Provide the link to the payment rates : <http://www.twc.state.tx.us/programs/child-care-services-program-overview>

4.3.2 States and Territories may choose to set base payment rates that differ because they take into consideration such factors as 1) geographic location, 2) age of child, 3) needs of children (special needs, protective services, etc.), 4) non-traditional hours of care, or 5) quality of care.

In other words, base rates for infants may be set at a higher level than for school-age care because the cost of providing infant care tends to be higher than school-age care. In addition to these rates that differ tied to market variations in prices, States and Territories can choose to establish tiered rates or add-ons on top of these variable base rates as a way to increase payment rates for targeted needs (i.e., higher rate for special needs children as both an incentive for providers to serve children with special needs and as a way to cover the higher costs to the provider to provide care for special needs children).

Check which types of tiered payment or rate add-on, if any, the Lead Agency has chosen to implement. In the description of any tiered rates or add-ons, indicate the process and basis used for determining the tiered rates, amount or percentage of the tiered rate/add-on, and indicate if the rates were set based on the MRS or another process.

- Tiered rate/rate add-on for non-traditional hours.

Describe:

Varies by Board.

- Tiered rate/rate add-on for children with special needs as defined by the State/Territory.

Describe:

TWC child care rules provide for an inclusion rate of up to 190 percent of the reimbursement rate

- Tiered rate/rate add-on for infants and toddlers (do not check if you have a different base rate for infants/toddlers with no separate bonus or add-on).

Describe:

- Tiered rate/rate add-on for programs meeting higher quality as defined by the State/Territory.

Describe:

Texas Government Code §2308.315 (as described in Section B-703 of the Child Care Services Guide), requires that Boards reimburse TRS-certified providers an increased rate above the rate reimbursed to non-TRS providers. The percentage of the increase must be at least:

- 5% for a 2-Star Program Provider;***
- 7% for a 3-Star Program Provider; and***
- 9% for a 4-Star Program Provider.***

Boards may reimburse at a higher rate than those listed above as long as there is a 2 percentage point difference between the star ratings.

Additionally, TWC rules require that Boards reimburse providers participating in the Texas School Ready! (TSR!) project at an increased rate for preschool-age children. The increased rate must be at least 5 percent greater than the Board's regular base rate.

<http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.2308.htm#2308.315>

Tiered rate/rate add-on for programs serving homeless children.

Describe:

Other tiered rate/rate add-on beyond the base rate.

Describe:

None.

4.3.3 Describe how the State/Territory set payment rates for child care services in accordance with the results of the most recent market rate survey or alternative methodology

Describe:

Each of the 28 Boards establishes maximum reimbursement rates based on multiple factors, including the most recent market rate survey (MRS). The Boards review the most recent MRS as part of their analysis to determine potential rate increases. In establishing maximum reimbursement rates, Boards also must ensure the rates are affordable based on the Board child care allocation and performance target for the average number of children served per day, which is based on the Board's share of the statewide performance target established for the Texas Workforce Commission (TWC) by the Texas legislature.

4.3.4 In setting payment rates, how did the State/Territory take into consideration the cost of providing higher quality child care services than were provided prior to November 2014 (e.g., tiered payment or other methods) and without, to the extent practicable, reducing the number of families receiving CCDF relative to the number of families served as of November 2014.

For example, providing tiered payment with a sufficient differential to support higher quality, considering the cost of quality using a cost estimation model or other method, or examining the participation rate of high-quality providers in the subsidy system (e.g., using indicators from a quality rating system, accreditation or other state-defined indicators of quality) and adjusting payment rates if necessary.

Describe:

[Texas Government Code §2308.315 \(as described in Section B-703 of the Child Care Services Guide\)](#), requires that TRS-certified providers be reimbursed at the following percentages above the Board's non-TRS rate for the same type of care:

- 5% for a 2-Star Program Provider
- 7% for a 3-Star Program Provider
- 9% for a 4-Star Program Provider.

The cost of the required, tiered maximum rates for TRS-certified providers is considered as part of TWC's performance target-setting methodology for the Boards.

<http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.2308.htm#2308.315>

4.4 Summary of Facts Used to Determine that Payments Rates Are Sufficient to Ensure Equal Access

The CCDF plan shall provide a summary of data and facts relied on by the State/Territory to certify that payment rates are sufficient to ensure equal access. (658E (c)(4)(A)) Equal access is not limited to a single percentile alone but is inclusive of various metrics or benchmarks that would offer children receiving CCDF access to the same services (type of care, quality of care) as children not receiving CCDF.

4.4.1 What data and facts did the State use to determine equal access (i.e., what is your metric or benchmark of equal access - such as percentile that rates cover or proportion of costs covered)? Check all that apply and describe.

Payment rates are set at the 75th percentile or higher of the most recent survey.

Describe:



Using tiered rates/differential rates as described in 4.3.3 to increase access for targeted needs.

Rates based on data on the cost to the provider of providing care meeting certain standards

Describe:

- Data on the size of the difference (in terms of dollars) between payment rates and the 75th percentile in the most recent survey, if rates are below the 75th percentile.

Describe:

- Data on the proportion of children receiving subsidy being served by high-quality providers.

Describe:

On a monthly basis, the Texas Workforce Commission (TWC) analyzes the percentage of total Texas Rising Star (TRS) quality providers, by provider type, that care for TWC-subsidized children. The data as of 12/1/2015 shows that approximately 25 percent of the subsidized children were served by TRS quality providers.

- Data on where children are being served showing access to the full range of providers. .

Describe:

On a monthly basis, the Texas Workforce Commission (TWC) analyzes the percentage of total regulated providers, by provider type, that care for TWC-subsidized children. The data show that parents of subsidized children have access to the full range of providers relative to the number and capacity of those providers.

Although subsidized children in licensed child care centers represent approximately 12 percent of the total capacity of all licensed child care centers in the state; throughout 2015, approximately 60 percent of all licensed child care centers provided care to subsidized children.

Additionally, subsidized children in licensed child care homes represent approximately 11 percent of the total capacity of all licensed child care homes in the state; throughout 2015, approximately 34 percent of the all licensed child care homes provided care to subsidized children.

Subsidized children in registered child care homes represent approximately 3.5 percent of the total capacity of all registered child care homes in the state; throughout 2015, approximately 11 percent of all registered child care homes provided care to subsidized children.

- Data on how rates set below the 75th percentile allow CCDF families access to the same quality of care as families not receiving CCDF.

Describe:

As stated above, throughout 2015, approximately 60 percent of all licensed child care centers provided care to subsidized children.

Additionally, subsidized children in licensed child care homes represent approximately 11 percent of the total capacity of all licensed child care homes in the state; throughout 2015, approximately 34 percent of the all licensed child care homes provided care to subsidized children.

Subsidized children in registered child care homes represent approximately 3.5 percent of the total capacity of all registered child care homes in the state; throughout 2015, approximately 11 percent of all registered child care homes provided care to subsidized children.

- Feedback from parents, including parent survey or parent complaints.

Describe:

- Other.

Describe:

4.4.2 Does the State/Territory certify that payment rates are sufficient to ensure equal access either based on the current MRS or alternative methodology?

Does the State/Territory certify that payment rates are sufficient to ensure equal access either based on the current MRS or alternative methodology?

- Yes. The State/Territory certifies that payment rates are sufficient to ensure equal access by March 1, 2016.

Provide the State/Territory definition of how its payment rates are sufficient to ensure equal access

TWC analyzes the utilization of regulated providers relative to the total number of regulated providers in order to determine if the rates are sufficient to ensure equal access to providers.

On a monthly basis, the Texas Workforce Commission (TWC) analyzes the percentage of total regulated providers, by provider type, that care for TWC-subsidized children. The data show that the rates allow parents of subsidized children to have access to the full range of providers relative to the number and capacity of those providers.

Although subsidized children in licensed child care centers represent approximately 12 percent of the total capacity of all licensed child care centers in the state; throughout 2015, approximately 60 percent of all licensed child care centers provided care to subsidized children.

Additionally, subsidized children in licensed child care homes represent approximately 11 percent of the total capacity of all licensed child care homes in the state; throughout 2015, approximately 34 percent of the all licensed child care homes provided care to subsidized children.

Subsidized children in registered child care homes represent approximately 3.5 percent of the total capacity of all registered child care homes in the state; throughout 2015, approximately 11 percent of all registered child care homes provided care to subsidized children.

No. If no, the State/Territory must provide a State/Territory-specific implementation plan for achieving compliance with this requirement, including planned activities, necessary legislative or regulatory steps to complete, and target completion date (no later than September 30, 2016). Please provide brief text responses and descriptions only. Do not cut and paste charts or tables here. Your responses will be consolidated electronically into an Implementation Plan summary report.

Overall Target Completion Date (no later than September 30, 2016)

Overall Status - Describe the State/Territory's overall status toward complete implementation for this requirement(s) (not yet started, partially implemented, substantially implemented, other)

Implemented requirement(s) - Identify any requirement(s) implemented to date if applicable

Tasks/Activities - What specific steps will you take to implement the unmet requirement (e.g., legislative or rule changes, modify agreements with coordinating agencies, etc.)

Projected start date for each activity:

Projected end date for each activity:

Agency - Who is responsible for complete implementation of this activity

Partners - Who is the responsible agency partnering with the State/Territory lead agency to complete implementation of this activity

4.5 Payment Practices and Timeliness of Payments

The CCDBG Act of 2014 added a provision that requires States and Territories to describe in the Plan how the State/Territory's payment practices for CCDF child care providers reflect generally accepted payment practices of non-CCDF child care providers in the State/Territory - so as to provide stability of funding and encourage more child care providers to participate in the subsidy program. To the extent practicable, the State/Territory must implement enrollment and eligibility policies that support the fixed costs of providing child care services by delinking provider payments from a child's occasional absences due to holidays or unforeseen circumstances such as illness. (658E(c)(2)(S))

4.5.1 Describe the status of State/Territory's payment practices for CCDF child care providers that reflect generally accepted payment practices of non-CCDF child care providers in the State/Territory

- Fully implemented and meeting all Federal requirements outlined above by March 1, 2016. Describe using 4.5.2 through 4.5.3 below.
- Not implemented. If not implemented, the State/Territory must provide a State/Territory-specific implementation plan for achieving compliance with this requirement, including planned activities, necessary legislative or regulatory steps to complete, and target completion date (no later than September 30, 2016). Please provide brief text responses and descriptions only. Do not cut and paste charts or tables here.

Your responses will be consolidated electronically into an Implementation Plan summary report.

Overall Target Completion Date (no later than September 30, 2016)

Overall Status - Describe the State/Territory's overall status toward complete implementation for this requirement(s) (not yet started, partially implemented, substantially implemented, other)

Implemented requirement(s) - Identify any requirement(s) implemented to date if applicable

Tasks/Activities - What specific steps will you take to implement the unmet requirement (e.g., legislative or rule changes, modify agreements with coordinating agencies, etc.)

Projected start date for each activity:

Projected end date for each activity:

Agency - Who is responsible for complete implementation of this activity

Partners - Who is the responsible agency partnering with the State/Territory lead agency to complete implementation of this activity

4.5.2 Describe how the payment practices to child care providers who serve CCDF-assisted children reflect generally accepted payment practices of other child care providers in the State/Territory to ensure stability of funding to encourage more child care providers to serve children who receive CCDF assistance. Check all that apply and describe.

The Lead Agency

Pays prospectively prior to the delivery of services.

Describe:

Pays within no more than 21 days of billing for services.

Describe:

"Billing for services" is based on the weekly attendance upload from the Child Care Automation Attendance (CCAA) system and the payment frequency as determined by each Local Workforce Development Board (Board). Boards or their child care contractors reimburse all providers in their Board area either on a weekly, biweekly, or monthly schedule and are able to reimburse providers within 10 days of receipt of the final weekly attendance data.

Supports fixed costs of providing child care services by delinking provider payments from a child's occasional absences by paying based on enrollment instead of attendance. Describe including the State/Territory's definition of occasional absences

Supports fixed costs of providing child care services by delinking provider payments from a child's occasional absences by providing full payment if a child attends at least a certain percent of authorized time. Specify percent and describe
Specify percent and describe

Supports fixed costs of providing child care services by delinking provider payments from a child's occasional absences by providing full payment if a child is absent for a certain number of days in a month.

Specify the number of absence days allowed and paid for and describe

Texas Workforce Commission (TWC) rules require Boards to establish attendance standards, including establishing a maximum number of paid absences. Boards typically reimburse for at least 30 absence days in a 12-month period, and may reimburse for additional absence days for parents with irregular or flexible work schedules and for absences due to a child's chronic illness or health issues.

Additionally, Boards allow providers to be reimbursed for a certain number of provider holidays during the year.

Pays on a full-time or part-time basis (rather than smaller increments such as hourly)

Describe:

Full-time is from 6 to 12 hours of care and part-time is less than 6 hours of care.

- Pays for standard and customary fees that the provider charges private-paying parents (e.g., registration fees, deposits, supplies, field trips, etc.)

Describe:

TWC rules require that Boards ensure that a provider's published rate, used to calculate the maximum provider reimbursement, includes the provider enrollment, supply, and activity fees.

- Provides prompt notice to providers regarding any changes to the family's eligibility status that may impact payment

Describe:

Details of each child's authorization, including the days of the week authorized and the beginning and end dates, are posted on each provider's portal in TWC's Child Care Attendance Automation (CCAA) system. Updates to the authorization, including any changes in the days authorized and end dates, are immediately reflected in the CCAA provider portal for the provider to view online.

- Has a timely appeal and resolution process for payment inaccuracies and disputes.

Describe:

As mentioned previously, Boards or Board child care contractors reimburse providers on a weekly, biweekly, or monthly schedule and are able to reimburse providers within a week of receipt of the final weekly attendance data. Upon receipt of the payment, providers may contact Boards or Board contractors regarding any payment inaccuracy at any time and Boards are able to resolve any discrepancy through direct payment adjustments to the provider.

- Other.

Describe:

- For those options not checked above, explain why these options are not generally accepted payment practices in your State/Territory.

- ***Paying prospectively prior to the delivery of services is not a generally accepted payment practice for public funds.***
- ***Generally accepted payment practices for attendance and absences vary greatly by provider and location.***
- ***TWC supports fixed costs of providing child care services by delinking provider payments from a child's occasional absences by providing full***

payment if a child is absent for a certain number of days in a month or a total number of days during a 12-month period. However, this does not include paying on enrollment or paying in full if the child is in attendance 80 percent of the time.

4.5.3 Check and describe the strategies the State/Territory will use to ensure the timeliness of payments.

- Policy on length of time for making payments.

Describe length of time:

- Track and monitor the payment process

Describe:

TWC tracks Board monthly performance for the average number of children served by the number of paid billings.

- Use of electronic tools (e.g., automated billing, direct deposit, etc.)

Describe:

Board child care contractors process provider payments using the attendance records in CCAA. The attendance records used for billing are available to child care contractors on a weekly basis and providers can be reimbursed on a weekly basis. Most Boards, however, reimburse providers on a biweekly basis, while some Boards reimburse on a monthly basis.

Board contractors issue payments through an electronic funds transfer to the provider.

- Other.

Describe:

4.6 Supply Building Strategies to Meet the Needs of Certain Populations

The CCDBG Act of 2014 added a provision that the State/Territory will develop and implement strategies to increase the supply and improve the quality of child care services for children in underserved areas, infants and toddlers, children with disabilities, and children who receive care during non-traditional hours. (658 E(c)(2)(M))

4.6.1 Has the State/Territory conducted data analysis of existing and growing supply needs?

Yes.

Describe data sources

No.

If no, how does the State/Territory determine most critical supply needs?

Underserved Areas and Care during Non-Traditional Hours:

- ***The Texas Workforce Commission (TWC) works with Local Workforce Development Boards (Boards) to determine the child care needs of local workforce development areas (workforce areas) and target quality improvement funds to underserved areas and develop differential rate structures for care during non-traditional hours (i.e. nights and weekends). Boards establish reimbursement rates and may target rate increases to provider types and age groups based the needs of the workforce area. Additionally, TWC provides quality funds to Boards to assist in expanding capacity or addressing particular needs in workforce areas.***

Infants and Toddlers:

- ***In Fiscal Year 2015 (FY'15), TWC distributed one-time \$1.5 million to Boards to increase infant and toddler capacity and to assist providers caring for children with disabilities. TWC is developing infant and toddler quality improvement strategies for FY'17-18.***

Quality Improvement:

- ***In order to increase the supply of quality care, in FY'15 TWC provided a one-time allocation to Boards of \$6.4 million in child care funds to assist child care providers in improving the quality of care and achieving Texas Rising Star (TRS) certification or attaining higher levels of TRS certification.***

4.6.2 Describe what method(s) is used to increase supply and improve quality for:

a) Infants and toddlers (check all that apply)

- Grants and contracts (as discussed in 4.1.3)
- Family child care networks
- Start-up funding
- Technical assistance support
- Recruitment of providers
- Tiered payment rates (as discussed in 4.4.1)
- Other.

Describe

As mentioned in 4.6.1, TWC provides child care funds to Boards to increase infant and toddler capacity and to increase the supply of quality care available to families.

b) Children with disabilities (check all that apply)

- Grants and contracts (as discussed in 4.1.3)
- Family child care networks
- Start-up funding
- Technical assistance support
- Recruitment of providers
- Tiered payment rates (as discussed in 4.4.1)
- Other.

Describe

TWC funded online training courses developed in partnership with the Texas Department of Family and Protective Services (DFPS) Child Care Licensing and Texas A&M AgriLife to assist providers in serving children with disabilities. As mentioned in 4.6.1, Boards assist providers in serving children with disabilities by providing an enhanced inclusion rate of 190 percent above the Board's regular rate.

c) Children who receive care during non-traditional hours (check all that apply)

- Grants and contracts (as discussed in 4.1.3)
- Family child care networks
- Start-up funding
- Technical assistance support
- Recruitment of providers
- Tiered payment rates (as discussed in 4.4.1)
- Other.

Describe

Boards establish higher reimbursement rates for providers caring for children during nontraditional hours-nights and weekends.

d) Homeless children (check all that apply)

- Grants and contracts (as discussed in 4.1.3)
- Family child care networks
- Start-up funding
- Technical assistance support
- Recruitment of providers
- Tiered payment rates (as discussed in 4.4.1)
- Other.

Describe

4.6.3 The CCDBG Act of 2014 requires States to describe the procedures and process it uses, in terms of the investments made to increase access to programs providing high quality child care and development services, to give priority for those investments to children in families in areas that have significant concentrations of poverty and unemployment and that do not have such high-quality programs. (658E(c)(2)(Q))

Describe the status of State/Territory's process and procedures to give priority for investments to children and families from areas with high concentrations of poverty and unemployment that do not have high-quality programs.

- Fully implemented and meeting all Federal requirements outlined above.

Describe

TWC's includes the percent of the population below 100 percent of the federal

poverty guidelines (FPG) and the percent of children under 13 in families below 150 percent FPG as factors in determining funding allocations to each workforce development area. Although the unemployment rate is not a specific factor in the allocation methodology, areas with high unemployment rates tend to correspond to areas with high poverty rates.

TWC provides funding to Boards to improve child care quality and to increase access to TRS-certified providers for low-income families. Boards prioritize these quality funds based on the needs of the workforce area, including increasing the number of TRS-certified providers in areas that have high concentrations of unemployment.

Additionally, in order to give priority for quality improvement funds to children in families in areas that have significant concentrations of poverty and unemployment and that do not have TRS programs, Texas Government Code §2308.317 requires that Boards give priority to quality child care funding initiatives that benefit child care facilities working toward TRS certification or TRS-certified providers working toward higher certification levels.

- Not implemented. If not implemented, the State/Territory must provide a State/Territory-specific implementation plan for achieving compliance with this requirement, including planned activities, necessary legislative or regulatory steps to complete, and target completion date (no later than September 30, 2016). Please provide brief text responses and descriptions only. Do not cut and paste charts or tables here. Your responses will be consolidated electronically into an Implementation Plan summary report.

Overall Target Completion Date (no later than September 30, 2016)

Overall Status - Describe the State/Territory's status toward complete implementation for any requirement(s) not fully implemented (not yet started, partially implemented, substantially implemented, other)

Implemented requirement(s) - Identify any requirement(s) implemented to date if applicable

Tasks/Activities - What specific steps will you take to implement the unmet requirement (e.g., legislative or rule changes, modify agreements with coordinating agencies, etc.)

Projected start date for each activity:

Projected end date for each activity:

Agency - Who is responsible for complete implementation of this activity

Partners - Who is the responsible agency partnering with the State/Territory lead agency to complete implementation of this activity

5 Establish Standards and Monitoring Processes to Ensure the Health and Safety of Child Care Settings

The CCDBG Act of 2014 makes child care safer by defining minimum health and safety requirements for child care providers. This includes both the standards that must be established and the pre-service/orientation and ongoing minimum training required. States and Territories must also explain why exemptions to any of the licensing standards do not endanger the health and safety of CCDF children in license-exempt care. States and Territories are required to have standards for CCDF providers regarding group size limits and appropriate child-to-provider ratios based on the age of children in child care.

Pre-licensure and annual unannounced inspections of licensed CCDF providers and annual inspections of license-exempt CCDF providers are now required. The CCDBG Act of 2014 requires States and Territories to establish qualifications and training for licensing inspectors and appropriate inspector-to-provider ratios. It also requires States and Territories to conduct criminal background checks for all child care staff members, including staff members who don't care directly for children but have unsupervised access to children and lists specific disqualifying crimes. States and Territories must certify that all child care providers comply with child abuse reporting requirements of Child Abuse Prevention and Treatment Act (CAPTA), mandatory reporting of known and suspected instances of child abuse and neglect).

5.1 Licensing Requirements and Standards

Each State is required to certify it has in effect licensing requirements applicable to all child care services provided within the State (not restricted to providers receiving CCDF), and to provide a detailed description of such requirements and how such requirements are effectively enforced. (658E(c)(2)(l)(i))

5.1.1 The State/Territory certifies that it has licensing requirements applicable to child care services provided within the State.

(658(c)(2)(F)) This requirement did not change under the CCDBG Act of 2014. List the categories of care that your State/Territory licenses and provide your definition of each licensed category of care

List the categories of care that your State/Territory licenses and provide your definition of each licensed category of care

The Texas Department of Family and Protective Services (DFPS) regulates the following types of child care day operations:

CENTER-BASED CHILD CARE

- ***Licensed Child Care Center (LCCC) - a child care facility that provides care for seven or more children under 14 years old for less than 24 hours per day at a location other than the permit holder's home. DFPS conducts at least one unannounced monitoring visit per year for LCCCs and the facilities are regulated under Chapter 746 of DFPS Child Care Licensing (CCL) regulations: http://www.dfps.state.tx.us/documents/Child_Care/Child_Care_Standards_and_Regulations/746_Centers.pdf***

An LCCC is considered "center-based care" under the CCDF definition in 45 CFR §98.2 and "licensed center-based care" throughout this State Plan.

- ***Licensed School-Age Program (LSAP) - a child care facility that provides care before or after the customary school day, during school holidays, and during the summer for children ages three to 14 years old. DFPS conducts at least one unannounced monitoring visit per year for LSAPs and the facilities are regulated under Chapter 744 of DFPS Child Care Licensing (CCL) regulations: http://www.dfps.state.tx.us/documents/Child_Care/Child_Care_Standards_and_Regulations/744_School-age.pdf***

A LSAP is considered "center-based care" under the CCDF definition in 45 CFR §98.2 and "licensed center-based care" throughout this State Plan.

Licensed Before-school or After-school Program (BAP) - a child care facility that provides care before or after the customary school day and during school holidays for children ages three to 14 years old. DFPS conducts at least one unannounced monitoring visit per year for BAPs and the facilities are regulated under Chapter 744 of DFPS Child Care Licensing (CCL) regulations:

http://www.dfps.state.tx.us/documents/Child_Care/Child_Care_Standards_and_Regulations/744_School-age.pdf

A LBAP is considered "center-based care" under the CCDF definition in 45 CFR §98.2 and "licensed center-based care" throughout this State Plan.

HOME-BASED CHILD CARE

- Licensed Child Care Home (LCCH) - a child care facility that provides care for less than 24 hours per day for seven-12 children under 14 years old in the permit holder's own home. DFPS conducts at least one unannounced monitoring visit per year for LCCHs and the facilities are regulated under Chapter 747 of DFPS Child Care Licensing (CCL) regulations:

http://www.dfps.state.tx.us/documents/Child_Care/Child_Care_Standards_and_Regulations/747_Homes.pdf

An LCCH is considered a "group home child care" under the CCDF definition in 45 CFR §98.2 and a "licensed group child care home" throughout this State Plan.

- Registered Child Care Home (RCCH) - child care facility that provides care in the caregiver's home for up to six children under age 14; they may also care for up to six more school-age children. DFPS conducts at least one unannounced monitoring visit every 24 months for RCCHs and the facilities are regulated under Chapter 747 of DFPS Child Care Licensing Regulations:

http://www.dfps.state.tx.us/documents/Child_Care/Child_Care_Standards_and_Regulations/747_Homes.pdf

An RCCH is considered a "family child care provider" under the CCDF definition in 45 CFR §98.2 and a "licensed family child care home" throughout this State Plan.

- Listed Family Home (LFH) - provides regular child care in their own homes for one to three unrelated children for compensation. Regular care is defined as care that is provided at least (a) four hours a day, three or more days a week, for three or more consecutive weeks, or (b) four hours a day for 40 or more days in a period of 12 months. DFPS does not conduct monitoring visits for LFHs and only investigate reports of child abuse or neglect, immediate risk to a

child's health or safety, that the home is providing care for too many children, or a child was given medication without the parent's written permission. An LFH must undergo background checks by DFPS.

LFHs are considered "license-exempt" and are not eligible to provide CCDF subsidized care. However, individuals meeting the definition of a relative provider under 658P.(6)(B) of the Child Care and Development Block Grant are required by §809.91(a) of TWC rules (and described in [Section F-101 of the Child Care Services Guide](#)) to list with DFPS as an LFH.

5.1.2 Does your State/Territory exempt any child care providers from its licensing requirements?

Yes.

Describe which types of providers that can receive CCDF are exempt from licensing and how such exemptions do not endanger children who receive CCDF services from license-exempt providers

Only relative providers as defined in 45 Code of Federal Regulations (CFR) §98.2, who are exempt from health and safety requirements in 45 CFR §98.41, are eligible to receive CCDF for in-home child care.

No.

5.1.3 Describe the status of the State/Territory's development and implementation of child care standards for providers receiving CCDF that address appropriate ratios between the number of children and the number of providers and group size, in terms of the age of the children for each type of setting. (658E(c)(2)(H))

Fully implemented and meeting all Federal requirements outlined above. Describe using 5.1.4 and 5.1.5 below.

Not implemented. If not implemented, the State/Territory must provide a State/Territory-specific implementation plan for achieving compliance with this requirement, including planned activities, necessary legislative or regulatory steps to complete, and target completion date (no later than September 30, 2016). Please provide brief text responses and descriptions only. Do not cut and paste charts or tables here. Your responses will be consolidated electronically into an Implementation Plan summary report.

Overall Target Completion Date (no later than September 30, 2016)

Overall Status - Describe the State/Territory's overall status toward complete implementation for this requirement(s) (not yet started, partially implemented, substantially implemented, other)

Implemented requirement(s) - Identify any requirement(s) implemented to date if applicable

Tasks/Activities - What specific steps will you take to implement the unmet requirement (e.g., legislative or rule changes, modify agreements with coordinating agencies, etc.)

Projected start date for each activity:

Projected end date for each activity:

Agency - Who is responsible for complete implementation of this activity

Partners - Who is the responsible agency partnering with the State/Territory lead agency to complete implementation of this activity

5.1.4 Describe how the State/Territory child care standards for providers receiving CCDF address appropriate ratios between the number of children and the number of providers and group size, in terms of the age of the children for each type of setting. (658E(c)(2)(H))

a) Licensed Center-Based Care

1. Infant

- State/Territory age definition:

0-17 months

- Ratio:

1:4

- Group Size:

2:10

2. Toddler

- State/Territory age definition:

18-35 months

- Ratio:

1:9 (18-23 months), 1:11 (2 years)

- Group Size:

2:18 (18-23 months), 2:22 (2 years)

3. Preschool:

- State/Territory age definition:

3-4 years

- Ratio:

1:15 (3 years), 1:18 (4 years)

- Group Size:

2:30 (3 years), 2:35 (4 years)

4. School-Age

- State/Territory age definition:

Five years and older who will attend school at or away from the center beginning in September of that year.

- Ratio:

1:22 (5 years), 1:26 (6-13 years)

- Group Size:

2:35

5. If any of the responses above are different for exempt child care centers,

describe:

N/A

6. Describe, if applicable, ratios and group sizes for centers with mixed age groups.

For mixed-age groups, the ratio and group size applicable to the median age of the children in the group applies.

b) Licensed Group Child Care Homes:

1. Infant

- State/Territory age definition:

0-17 months

- Ratio:

1:4 with two additional children ages 18 months and older

- Group Size:

- 2:10 with no additional children in care

2. Toddler

- State/Territory age definition:

18-35 months

- Ratio:

1:8 with 4 additional children ages 4 years and older

- Group Size:

2:12

3. Preschool:

- State/Territory age definition:

3-4 years

- Ratio:

1:12

- Group Size:

2:12

4. School-Age

- State/Territory age definition:

Five years and older who will attend school at or away from the center beginning in September of that year .

- Ratio:

1:12

- Group Size:

2:12

5. Describe the maximum number of children that are allowed in the home at any one time, if the State/Territory requires related children to be included in the child-to-provider ratio or group size, or the limits on infants and toddlers or additional school-age children that are allowed for part of the day

A maximum of 12 children may be in care at any time, including the provider's children, who are also counted in the ratio and group size requirements. Ratio and group size vary depending on the total number of infants and toddlers in care. Regulations further outline the number of infants, toddlers, and preschool/school-age children that a single caregiver may care for and how many two caregivers may care for in a group. See 40 Texas Administrative Code (TAC) §§747.1801 and 747.1803 .

6. If any of the responses above are different for exempt group child care homes, describe

N/A

N/A. State/Territory does not have group child care homes.

c) Licensed Family Child Care:

1. Describe the ratios, group size, the threshold for when licensing is required, maximum number of children that are allowed in the home at any one time, if the State/Territory requires related children to be included in the Child-to-Provider ratio or group size, or the

limits on infants and toddlers or additional school-age children that are allowed for part of the day.

Describe the ratios:

Ratio is determined by the total number of infants, toddlers, and preschool/school-age children the caregiver has in care. The maximum number of children a provider can provide care for in each age range is four infants (0-17 months) with two additional school-age children; five children between the ages of 18 months-4 years with seven additional school-age children, or 12 school-age children.

Describe the group size:

The maximum number of children between the ages of birth and four years is six; the caregiver may care for up to six additional school-age children for a maximum group size of 12.

Describe the threshold for when licensing is required:

More than three unrelated children , Maximum number of children that are allowed in the home at any one time (six children during school hours and up to six additional children ages five and older during after-school hours)

Describe the maximum number of children that are allowed in the home at any one time:

More than three unrelated children , Maximum number of children that are allowed in the home at any one time (six children during school hours and up to six additional children ages five and older during after-school hours)

Describe if the State/Territory requires related children to be included in the Child-to-Provider ratio or group size:

Yes, Texas requires related children to be included in the Child-to-Provider ratio or group size.

Describe the limits on infants and toddlers or additional school-age children that are allowed for part of the day:

Six children during school hours and up to six additional children ages five and older during after-school hours.

2. If any of the responses above are different for exempt family child care home providers, describe

N/A

d) Any other eligible CCDF provider categories:

Describe the ratios, group size, the threshold for when licensing is required, maximum number of children that are allowed in the home at any one time, if the State/Territory requires related children to be included in the Child-to-Provider ratio or group size, or the limits on infants and toddlers or additional school-age children that are allowed for part of the day.

Describe the ratios:

1:3

Describe group size:

N/A

Describe the threshold for when licensing is required:

One unrelated child for compensation; individuals only providing care to related children are not subject to regulation, but state law allows relatives providing care to related children to become listed providers in order to be eligible for CCDF funds.

Describe maximum number of children that are allowed in the home at any one time:

12 with a maximum of three unrelated children and up to nine additional related children

Describe if the State/Territory requires related children to be included in the Child-to-Provider ratio or group size:

Yes, Texas requires related children to be included in the Child-to-Provider ratio or group size.

Describe the limits on infants and toddlers or additional school-age children that are allowed for part of the day:

None

5.1.5 Describe how the State/Territory child care standards address required qualifications for providers appropriate to each type of setting, including the minimum age allowed, minimum education level, any specific content required related to the age of children. (658E(c)(2)(H))

a) Licensed Center-Based Care:

1. Infant lead teacher

The qualifications for lead and assistant infant teachers are the same and require that such individuals:

- ***be at least 18 years of age;***
- ***have a high school diploma, high school equivalent, or high school certificate of coursework completion as defined in Texas Education Code §28.025(d);***
- ***clear background check;***
- ***complete Affidavit for Applicants for Employment form;***
- ***complete orientation; and***
- ***complete eight hours of preservice training (see 6.2.2 for requirements).***

and assistant teacher qualifications:

The qualifications for lead and assistant infant teachers are the same and require that such individuals:

- ***be at least 18 years of age;***
- ***have a high school diploma, high school equivalent, or high school certificate of coursework completion as defined in Texas Education Code §28.025(d);***
- ***clear background check;***
- ***complete Affidavit for Applicants for Employment form;***
- ***complete orientation; and***
- ***complete eight hours of preservice training (see 6.2.2 for requirements).***

2. Toddler lead teacher

The qualifications for lead and assistant toddler teachers are the same and require that such individuals:

- ***be at least 18 years of age;***
- ***have a high school diploma, high school equivalent, or high school certificate of coursework completion as defined in Texas Education Code §28.025(d);***
- ***clear background check;***
- ***complete Affidavit for Applicants for Employment form;***
- ***complete orientation; and***
- ***complete eight hours of preservice training (see 6.2.2 for requirements).***

and assistant teacher qualifications:

The qualifications for lead and assistant toddler teachers are the same and require that such individuals:

- ***be at least 18 years of age;***
- ***have a high school diploma, high school equivalent, or high school certificate of coursework completion as defined in Texas Education Code §28.025(d);***
- ***clear background check;***
- ***complete Affidavit for Applicants for Employment form;***

- **complete orientation; and**
- **complete eight hours of preservice training (see 6.2.2 for requirements).**

3. Preschool lead teacher

The qualifications for lead and assistant preschool teachers are the same and require that such individuals:

- **be at least 18 years of age;**
- **have a high school diploma, high school equivalent, or high school certificate of coursework completion as defined in Texas Education Code §28.025(d);**
- **clear background check;**
- **complete Affidavit for Applicants for Employment form;**
- **complete orientation; and**
- **complete eight hours of preservice training (see 6.2.2 for requirements).**

and assistant teacher qualifications:

The qualifications for lead and assistant preschool teachers are the same and require that such individuals:

- **be at least 18 years of age;**
- **have a high school diploma, high school equivalent, or high school certificate of coursework completion as defined in Texas Education Code §28.025(d);**
- **clear background check;**
- **complete Affidavit for Applicants for Employment form;**
- **complete orientation; and**
- **complete eight hours of preservice training (see 6.2.2 for requirements).**

4. School-Age lead teacher

The qualifications for lead and assistant school-age teachers are the same and require that such individuals:

- **be at least 18 years of age;**
- **have a high school diploma, high school equivalent, or high school certificate of coursework completion as defined in Texas Education Code §28.025(d);**
- **clear background check;**
- **complete Affidavit for Applicants for Employment form;**
- **complete orientation; and**
- **complete eight hours of preservice training (see 6.2.2 for requirements).**

and assistant teacher qualifications:

The qualifications for lead and assistant school-age teachers are the same and require that such individuals:

- **be at least 18 years of age;**
- **have a high school diploma, high school equivalent, or high school**

certificate of coursework completion as defined in Texas Education Code §28.025(d);

- *clear background check;*
- *complete Affidavit for Applicants for Employment form;*
- *complete orientation; and*
- *complete eight hours of preservice training (see 6.2.2 for requirements).*

5. Director qualifications:

A director must possess one of seven possible combinations of education and experience as listed below:

- *A bachelor's degree with 12 college credit hours in child development and six in management, and at least one year of experience in a licensed child-care center;*
- *An associate's of applied science degree in child development or a closely related field with six college credit hours in child development and six college credit hours in management and at least two years of experience in a licensed child-care center;*
- *60 college credit hours with nine college credit hours in child development and six college credit hours in management and at least two years of experience in a licensed child-care center;*
- *A child care administrator's certificate from a community college with at least 15 college credit hours in child development and three college credit hours in management and at least two years of experience in a licensed child-care center;*
- *A child development associate credential or certified child care professional credential with six college credit hours in management and at least two years of experience in a licensed child-care center;*
- *A daycare administrator's credential issued by a professional organization or educational institution and approved by DFPS Child Care Licensing (CCL) and at least two years of experience in a licensed child care center; or*
- *Nine college credit hours in child development and nine college credit hours in management and at least three years of experience in a licensed child-care center.*

b) Licensed Group Child Care Homes:

1. Infant lead teacher

Lead teachers (or primary caregivers) must meet the following qualifications:

- *Be at least 21 years of age;*
- *Have a high school diploma or its equivalent;*
- *Have a certificate of completion of the licensing orientation from within one year prior to application;*
- *Have current certification in cardiopulmonary resuscitation (CPR) and*

- first aid with rescue breathing and choking;*
- *Have cleared a background check*
- *and*
- *One of the following combinations of education and experience in a licensed child-care center, licensed child-care home, or registered child care home:*
- *A bachelor's degree with 12 college credit hours in child development and three college credit hours in management, and at least one year of experience;*
 - *An associate's of applied science degree in child development or a closely related field, with six college credit hours in child development and three college credit hours in management and at least one year of experience;*
 - *Sixty college credit hours with six college credit hours in child development and three college credit hours in management and at least one year of experience;*
 - *A child development associate credential or certified child care professional credential with three college credit hours in management and at least one year of experience;*
 - *A child care administrator's certificate from a community college with at least 15 college credit hours in child development and three college credit hours in management and at least two years of experience;*
 - *A daycare administrator's credential issued by a professional organization or an educational institution and approved by DFPS CCL and at least two years of experience; or*
 - *72 clock hours of training in child development and 30 clock hours in management and at least three years of experience.*

and assistant qualifications:

Assistant caregivers must meet the following qualifications:

- *Be at least 18 years of age;*
- *Have a high school diploma, high school equivalent, or high school certificate of coursework completion as defined in the Texas Education Code, §28.025(d);*
- *Cleared background check;*
- *Completed Affidavit for Applicants for Employment form; and*
- *Completed orientation.*

2. Toddler lead teacher

Lead teachers (or primary caregivers) must meet the following qualifications:

- *Be at least 21 years of age;*
- *Have a high school diploma or its equivalent;*
- *Have a certificate of completion of the licensing orientation from within one year prior to application;*

- **Have current certification in cardiopulmonary resuscitation (CPR) and first aid with rescue breathing and choking;**
- **Have cleared a background check; and**
- **One of the following combinations of education and experience in a licensed child-care center, licensed child-care home, or registered child care home:**
- **A bachelor's degree with 12 college credit hours in child development and three college credit hours in management, and at least one year of experience;**
 - **An associate's of applied science degree in child development or a closely related field, with six college credit hours in child development and three college credit hours in management and at least one year of experience;**
 - **Sixty college credit hours with six college credit hours in child development and three college credit hours in management and at least one year of experience;**
 - **A child development associate credential or certified child care professional credential with three college credit hours in management and at least one year of experience;**
 - **A child care administrator's certificate from a community college with at least 15 college credit hours in child development and three college credit hours in management and at least two years of experience;**
 - **A daycare administrator's credential issued by a professional organization or an educational institution and approved by DFPS CCL and at least two years of experience; or**
 - **72 clock hours of training in child development and 30 clock hours in management and at least three years of experience.**

and assistant qualifications:

Assistant caregivers must meet the following qualifications:

- **Be at least 18 years of age;**
- **Have a high school diploma, high school equivalent, or high school certificate of coursework completion as defined in the Texas Education Code, §28.025(d);**
- **Cleared background check;**
- **Completed Affidavit for Applicants for Employment form; and**
- **Completed orientation.**

3. Preschool lead teacher

Lead teachers (or primary caregivers) must meet the following qualifications:

- **Be at least 21 years of age;**
- **Have a high school diploma or its equivalent;**
- **Have a certificate of completion of the licensing orientation from within one year prior to application;**

- **Have current certification in cardiopulmonary resuscitation (CPR) and first aid with rescue breathing and choking;**
- **Have cleared a background check; and**
- **One of the following combinations of education and experience in a licensed child-care center, licensed child-care home, or registered child care home:**
- **A bachelor's degree with 12 college credit hours in child development and three college credit hours in management, and at least one year of experience;**
 - **An associate's of applied science degree in child development or a closely related field, with six college credit hours in child development and three college credit hours in management and at least one year of experience;**
 - **Sixty college credit hours with six college credit hours in child development and three college credit hours in management and at least one year of experience;**
 - **A child development associate credential or certified child care professional credential with three college credit hours in management and at least one year of experience;**
 - **A child care administrator's certificate from a community college with at least 15 college credit hours in child development and three college credit hours in management and at least two years of experience;**
 - **A daycare administrator's credential issued by a professional organization or an educational institution and approved by DFPS CCL and at least two years of experience; or**
 - **72 clock hours of training in child development and 30 clock hours in management and at least three years of experience.**

and assistant qualifications:

Assistant caregivers must meet the following qualifications:

- **Be at least 18 years of age;**
- **Have a high school diploma, high school equivalent, or high school certificate of coursework completion as defined in the Texas Education Code, §28.025(d);**
- **Cleared background check;**
- **Completed Affidavit for Applicants for Employment form; and**
- **Completed orientation.**

4. School-Age lead teacher

Lead teachers (or primary caregivers) must meet the following qualifications:

- **Be at least 21 years of age;**
- **Have a high school diploma or its equivalent;**
- **Have a certificate of completion of the licensing orientation from within one year prior to application;**

- **Have current certification in cardiopulmonary resuscitation (CPR) and first aid with rescue breathing and choking;**
- **Have cleared a background check; and**
- **One of the following combinations of education and experience in a licensed child-care center, licensed child-care home, or registered child care home:**
- **A bachelor's degree with 12 college credit hours in child development and three college credit hours in management, and at least one year of experience;**
 - **An associate's of applied science degree in child development or a closely related field, with six college credit hours in child development and three college credit hours in management and at least one year of experience;**
 - **Sixty college credit hours with six college credit hours in child development and three college credit hours in management and at least one year of experience;**
 - **A child development associate credential or certified child care professional credential with three college credit hours in management and at least one year of experience;**
 - **A child care administrator's certificate from a community college with at least 15 college credit hours in child development and three college credit hours in management and at least two years of experience;**
 - **A daycare administrator's credential issued by a professional organization or an educational institution and approved by DFPS CCL and at least two years of experience; or**
 - **72 clock hours of training in child development and 30 clock hours in management and at least three years of experience.**

and assistant qualifications:

Assistant caregivers must meet the following qualifications:

- **Be at least 18 years of age;**
- **Have a high school diploma, high school equivalent, or high school certificate of coursework completion as defined in the Texas Education Code, §28.025(d);**
- **Cleared background check;**
- **Completed Affidavit for Applicants for Employment form; and**
- **Completed orientation.**



N/A. State/Territory does not have group child care homes.

c) Licensed Family Child Care home provider qualifications

A registered child care home provider must meet the following qualifications:

- **Be at least 21 years of age;**
- **Have a high school diploma or its equivalent;**
- **Have a certificate of completion of the licensing orientation from within one**

year prior to application;

- *Have current certification in CPR and first aid with rescue breathing and choking; and*
- *Have cleared a background check.*

d) Other eligible providers qualifications:

A listed family home provider must be at least 18 years of age and have cleared a background check. Only relative listed family homes meeting the definition of a relative provider under 658P.(6)(B) of the Child Care and Development Block Grant, who are exempt from health and safety requirements in 45 CFR §98.41, are eligible to receive CCDF for in-home child care.

5.1.6 The CCDBG Act of 2014 added a new provision specifying that States and Territories must 1) establish health and safety requirements for providers serving children receiving CCDF assistance relating to matters included in the topics listed below, and 2) have pre-service or orientation training requirements, appropriate to the provider setting, that address these health and safety topics.

(658E(c)(2)(I)(i)) This requirement is applicable to all child care providers receiving CCDF regardless of licensing status (licensed or license-exempt). The only exception to this requirement is for providers who are caring for their own relatives, as States have the option of exempting relatives from some or all CCDF health and safety requirements. When establishing these requirements, States are encouraged to consider the age of children and type of child care setting to ensure that they are appropriate to the health and safety needs of the children from birth through age 12 and the providers who care for them.

a) The State certifies that it has health and safety requirements for individuals (providers) receiving CCDF in the following areas:

- Prevention and control of infectious diseases (including immunization)
- Prevention of sudden infant death syndrome and use of safe sleeping practices
- Administration of medication, consistent with standards for parental consent
- Prevention of and response to emergencies due to food and allergic reactions
- Building and physical premises safety, including identification of and protection from hazards that can cause bodily injury such as electrical hazards, bodies of water, and vehicular traffic

- Prevention of shaken baby syndrome and abusive head trauma
- Emergency preparedness and response planning for emergencies resulting from a natural disaster, or a man-caused event (such as violence at a child care facility), within the meaning of those terms under section 602(a) (1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5195a(a)(1))
- Handling and storage of hazardous materials and the appropriate disposal of bio contaminants
- Precautions in transporting children (if applicable)
- First aid and cardiopulmonary resuscitation

Yes. The State/Territory certifies that it has health and safety requirements for CCDF providers in these areas as of March 1, 2016.

Provide a citation and a link if available

No. If no, the State/Territory must provide a State/Territory-specific implementation plan for achieving compliance with this requirement, including planned activities, necessary legislative or regulatory steps to complete, and target completion date (no later than September 30, 2016). Please provide brief text responses and descriptions only. Do not cut and paste charts or tables here. Your responses will be consolidated electronically into an Implementation Plan summary report.

Overall Target Completion Date (no later than September 30, 2016) [9/01/2016](#)

Overall Status - Describe the State/Territory's overall status toward complete implementation for this requirement(s) (not yet started, partially implemented, substantially implemented, other) [Substantially implemented](#)

Implemented requirement(s) - Identify any requirement(s) implemented to date if applicable

[DFPS CCL requires training in the following:](#)

- ***Prevention and control of infectious diseases (including immunization);***
- ***Prevention of sudden infant death syndrome and use of safe sleeping practices;***
- ***Administration of medication, consistent with standards for parental consent;***
- ***Building and physical premises safety, including identification of and protection from hazards that can cause bodily injury such as electrical hazards, bodies of water, and vehicular traffic;***
- ***Prevention of shaken baby syndrome and abusive head trauma;***
- ***Emergency preparedness and response planning for emergencies resulting from a natural disaster or a human-caused event (such as violence at a child care facility) within the meaning of those terms***

- under §602(a)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5195a(a)(1));***
- ***Precautions in transporting children (if applicable);***
 - ***First aid and CPR certification.***

Unmet requirement - Identify the requirement(s) to be implemented [Prevention of and response to emergencies due to food and allergic reactions](#)

Tasks/Activities - What specific steps will you take to implement the unmet requirement (e.g., legislative or rule changes, modify agreements with coordinating agencies, etc.)

April 2016: Draft and propose changes to 40 TAC Chapters 744, 746, and 747 to address the prevention of and response to emergencies caused by allergic reactions.

Once the drafted rules are presented to the DFPS Council for consideration and recommended for proposal they are published in the Texas Register for a 30 day public comment period.

Child Care Licensing also notifies providers of the public comment period by email. Comments received are reviewed and further revisions may be made. If comments are received and/or additional changes made to the proposed rules then they are presented again to the DFPS Council for adoption. Once the rules are adopted then Child Care Licensing notifies providers of the changes and effective date.

Create technical assistance documents to share with providers on this topic.

Projected start date for each activity: 9/01/2015

Projected end date for each activity: 9/01/2016

Agency - Who is responsible for complete implementation of this activity
DFPS

Partners - Who is the responsible agency partnering with the State/Territory lead agency to complete implementation of this activity

None

Unmet requirement - Identify the requirement(s) to be implemented [Handling and storage of hazardous materials and the appropriate disposal of bio contaminants](#)

Tasks/Activities - What specific steps will you take to implement the unmet requirement (e.g., legislative or rule changes, modify agreements with coordinating agencies, etc.)

April 2016: Draft and propose changes to 40 TAC Chapters 744, 746, and 747 to address the prevention of and response to emergencies caused by allergic reactions, the handling and storage of hazardous materials, and the appropriate disposal of bio contaminants.

Once the drafted rules are presented to the DFPS Council for consideration and recommended for proposal they are published in the Texas Register for a 30 day public comment period.

Child Care Licensing also notifies providers of the public comment period by email. Comments received are reviewed and further revisions may be made. If comments are received and/or additional changes made to the proposed rules then they are presented again to the DFPS Council for adoption.

Once the rules are adopted then Child Care Licensing notifies providers of the changes and effective date.

Projected start date for each activity: 9/01/2015

Projected end date for each activity: 9/01/2016

Agency - Who is responsible for complete implementation of this activity
DFPS

Partners - Who is the responsible agency partnering with the State/Territory lead agency to complete implementation of this activity

None

b) The State/Territory certifies that it has pre-service (prior to initial service) or orientation (period from when service started) and ongoing training requirements, appropriate to the

provider setting that address each of the requirements relating to the topic areas listed above. ACF expects these trainings will be part of a broader systematic approach and progression of professional development (as described in Section 6) within a State/Territory that will result in opportunities for child care providers to accumulate knowledge, competencies and credits toward eventual completion of a professional certification or higher education. The law does not specify a specific number of training or education hours but States and Territories are encouraged to consult with *Caring for our Children Basics* for best practices and recommended time needed to address these training requirements.

Yes. The State/Territory certifies that it has pre-service or orientation and ongoing training requirements appropriate to the provider setting that address each of the requirements relating to the topics listed above as of March 1, 2016.

Describe, including at a minimum 1) how the state/territory defines preservice or orientation period, 2) the minimum number of annual preservice or orientation hours required to meet these health, and safety requirements, and 3) ongoing training or education hours required to meet these health and safety requirements

No. If no, the State/Territory must provide a State/Territory-specific implementation plan for achieving compliance with this requirement, including planned activities, necessary legislative or regulatory steps to complete, and target completion date (no later than September 30, 2016). Please provide brief text responses and descriptions only. Do not cut and paste charts or tables here. Your responses will be consolidated electronically into an Implementation Plan summary report.

Overall Target Completion Date (no later than September 30, 2016) [9/01/2016](#)

Overall Status - Describe the State/Territory's overall status toward complete implementation for this requirement(s) (not yet started, partially implemented, substantially implemented, other) [Other](#)

Implemented requirement(s) - Identify any requirement(s) implemented to date if applicable

DFPS CCL requires the following training:

- ***Prevention and control of infectious diseases (including immunization);***
- ***Prevention of sudden infant death syndrome and use of safe sleeping practices;***
- ***Administration of medication, consistent with standards for parental consent;***
- ***Building and physical premises safety, including identification of and protection from hazards that can cause bodily injury such as electrical hazards, bodies of water, and vehicular traffic;***
- ***Prevention of shaken baby syndrome and abusive head trauma;***
- ***Emergency preparedness and response planning for emergencies***

- resulting from a natural disaster or a human-caused event (such as violence at a child care facility) within the meaning of those terms under §602(a)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5195a(a)(1));**
- **Precautions in transporting children (if applicable);**
 - **First aid and CPR certification.**
 - **TWC, in partnership with DFPS and Texas A&M's AgriLife Extension Service, funded online courses in the above topics (<http://agrillifeextension.tamu.edu/solutions/child-care-training-courses/>).**

Unmet requirement - Identify the requirement(s) to be implemented **pre-service** (prior to initial service) or **orientation** (period from when service started) appropriate to the provider setting that address each of the requirements relating to the required topic areas

Tasks/Activities - What specific steps will you take to implement the unmet requirement (e.g., legislative or rule changes, modify agreements with coordinating agencies, etc.)

· Preservice, orientation, and annual training requirements do not specifically require training on the prevention of and response to emergencies caused by food or allergic reactions, the handling and storage of hazardous materials, and the appropriate disposal of bio contaminants.

Additionally, orientations for licensed child care homes and registered child care homes do not address:

- ***Prevention and control of infectious diseases;***
- ***Prevention of sudden infant death syndrome and use of safe sleep practices;***
- ***Administration of medication, consistent with standards for parental consent;***
- ***Building and physical premises safety; and***
- ***Prevention of shaken baby syndrome and abusive head trauma.***

Draft and propose changes to 40 TAC Chapter 747 in April 2016, to address the prevention and control of infectious diseases, prevention of sudden infant death syndrome and use of safe sleep practices, administration of medication, building and physical premises safety, and prevention of shaken baby syndrome and abusive head trauma.

Once the drafted rules are presented to the DFPS Council for consideration and recommended for proposal they are published in the Texas Register for a 30 day public comment period. Child Care Licensing also notifies providers of the public comment period by email. Comments received are reviewed and further revisions may be made. If comments are received and/or additional changes made to the proposed rules then they are presented again to the DFPS Council for adoption. Once the rules are adopted then Child Care Licensing notifies providers of the changes and effective date.

Projected start date for each activity: 9/01/2015

Projected end date for each activity: 9/01/2016

Agency - Who is responsible for complete implementation of this activity
DFPS

Partners - Who is the responsible agency partnering with the State/Territory lead agency to complete implementation of this activity

TWC and Texas A&M AgriLife Extension Service

5.1.7 Does the State/Territory have health and safety requirements for any of the following optional areas?

- Nutrition (including age appropriate feeding).

Describe:

Yes, most of the minimum standards regarding nutrition meet the current Child and Adult Care Food Program guidelines. (See 40 TAC §§744.2401 - 744.2423, 746.3301 - 746.3321, and 747.3301 - 747.3321.)

- Access to physical activity.

Describe:

Yes, all children ages 18 months and older must have opportunity for outdoor play two times per day, weather permitting. Infants are required to have daily opportunity for outdoor play. The daily activity plan must contain a balance of active and quiet play, which includes group and individual activities. (See 40 TAC §§744. 2001, 746.2205, 746.2417, 746.2507, 746.2607, 746.2707, 747.2103, 747.2317,

747.2407, 747.2507, and 747.2607.)

Screen time.

Describe:

Yes, screen time is prohibited for children younger than two years of age and limited to a maximum of two hours a day. In addition screen time may be used to supplement but not replace activities and must be related to the planned activities and age-appropriate. In licensed and registered homes there is no restriction for children less than two years of age but all other requirements are the same. (See 40 TAC §§744.2007, 746.2207 and 747.2105).

Caring for children with special needs.

Describe:

Yes, programs must ensure that children who need special care due to disabling or limiting conditions receive the care recommended by a healthcare professional or qualified individuals affiliated with the local school district or early childhood intervention program. Activities must integrate all children with or without special needs. (See 40 TAC §§744.2001, 744.2005, 746.2201, 746.2203, and 747.2101.)

Recognition and reporting of child abuse and neglect.

Describe:

Yes, directors and caregivers in licensed child care centers must have at least one clock hour of annual training on prevention, recognition and reporting of child abuse and neglect (746.1309(c); 746.1311(c)).

Other subject areas determined by the State/Territory to be necessary to promote child development or to protect children's health and safety.

Describe:

- ***Tuberculosis check for providers upon hire and children at the time of enrollment, if required by the regional Texas Department of State Health Services or local health authority. (See 40 TAC §§744.625, 744.901, 746.627, 746.901, 747.629 and 747.901.)***
- ***Child immunizations are required to be up-to-date and on file for every enrolled child. (See 40 TAC §§744.603, 746.603, and 747.603.)***
- ***Hand-washing policy for providers and children that outlines how and when hand-washing is required. (See 40 TAC §§744.2515 - 744.2521, 746.3415 - 746.3423, and 747.3211 - 747.3219.)***
- ***Diapering policy and procedures that outline how and when diapers must be changed, what equipment is required, and how to prevent the spread of germs when diapering children. (See 40 TAC §§746.3501 - 746.3505 and 747.3301 - 747.3307.)***

- **Inaccessibility of toxic substances policy-Providers are required to clearly mark cleaning supplies as well as other toxic materials and keep them away from food areas and inaccessible to children. (See 40 TAC §§744.2507, 746.3407, and 747.3203.)**
- **Safe sleep policy that outlines how children must be placed on back in approved crib. No loose bedding, including blankets, is allowed to be in crib. (See 40 TAC §§746.2409 - 746.2415, 746.2427 - 746.2429, 747.2309 - 747.2315, and 747.2327 - 747.2329.)**
- **Tobacco exposure reduction-Use of tobacco products in or on the grounds of a provider's facility is prohibited. (See 40 TAC §§744.2603, 746.3703, and 747.3503.)**
- **Transportation policy- If a program transports children younger than nine years of age, caregivers must complete two hours of transportation safety training before transporting children for the first time and then annually. (See 40 TAC §§744.1309, 744.1317, 746.1309, 746.1316, 747.1307, and 747.1314.)**
- **Fire inspections are required annually for LCCCs. (See 40 TAC §§744.3501 - 744.3505 and 746.5101 - 746.5105.)**
- **Carbon monoxide detection systems-Programs must be equipped with a working carbon monoxide detection system. (See 40 TAC §§744. 3731 - 744.3757, 746.5531 - 746.5357, and 747.5331 - 747.5337.)**

5.1.8 States and Territories have the option to exempt relatives (as defined in CCDF regulations as grandparents, great-grandparents, siblings if living in a separate residence, aunts, and uncles, 98.41(A)(ii)(A)) from these CCDF health and safety requirements.

Does the State/Territory exempt relatives from the requirement to receive pre-service or orientation health and safety training on any or all of the listed topics?

Yes, all relatives are exempt from all health and safety training requirements.

If the State/Territory exempts all relatives from the CCDF health and safety training requirements, describe how the State ensures the health and safety of children in relative care.

Any relative, as defined in 45 CFR §98.41(a)(1)(ii)(A), providing subsidized child care is required to list as a family home with DFPS. To be listed with DFPS, the caregiver and anyone living in the home over 14 years of age must undergo criminal background and DFPS abuse and neglect central registry checks.

Yes, some relatives are exempt from health and safety training requirements.

If the State/Territory exempts some relatives from the CCDF health and safety training requirements, describe which relatives are exempt from which requirements (all or some) and include how the State/Territory ensures the health and safety of children in relative care.

No, relatives are not exempt from CCDF health and safety training requirements.

5.2 Monitoring and Enforcement Policies and Practices

5.2.1 The State/Territory certifies that the State/Territory shall have in effect policies and practices to ensure that providers for children receiving assistance and their facilities comply with applicable State or local licensing and health and safety requirements. (658E(c)(2)(J))

Yes.

The State/Territory certifies that it has policies and practices to ensure compliance with applicable licensing and health and safety requirements for providers receiving CCDF and their facilities as of March 1, 2016. List the policy citation

Texas Workforce Commission (TWC) Child Care Services rules at §809.91(a) (and described in Section F-100 of the Child Care Services Guide) require that Local Workforce Development Boards (Boards) ensure that subsidies are only paid to child care providers that are:

- licensed or registered with the Texas Department of Family and Protective Services (DFPS);***
- licensed by the Texas Department of State Health Services as a youth day camp;***
- operated and regulated by the U.S. Military; or***
- relatives, as defined in 45 CFR §98.41(a)(1)(ii)(A). Relatives are required to list as a family home with DFPS. To be listed with DFPS, the caregiver and anyone living in the home over 14 years of age must undergo criminal background and DFPS abuse and neglect central registry checks.***

No. If no, the State/Territory must provide a State/Territory-specific implementation plan for achieving compliance with this requirement, including planned activities, necessary legislative or regulatory steps to complete, and target completion date (no later than September 30, 2016). Please provide brief text responses and

descriptions only. Do not cut and paste charts or tables here. Your responses will be consolidated electronically into an Implementation Plan summary report.

Overall Target Completion Date (no later than September 30, 2016)

Overall Status - Describe the State/Territory's overall status toward complete implementation for this requirement(s) (not yet started, partially implemented, substantially implemented, other)

Implemented requirement(s) - Identify any requirement(s) implemented to date if applicable

Tasks/Activities - What specific steps will you take to implement the unmet requirement (e.g., legislative or rule changes, modify agreements with coordinating agencies, etc.)

Projected start date for each activity:

Projected end date for each activity:

Agency - Who is responsible for complete implementation of this activity

Partners - Who is the responsible agency partnering with the State/Territory lead agency to complete implementation of this activity

5.2.2 The CCDBG Act of 2014 added the following provisions for enforcement of licensing which must be in effect no later than November 19, 2016 for all providers who serve children receiving CCDF (with the option to exempt relatives). While the law does not specify strategies to meet these requirements, States and Territories could consider implementing a differential monitoring approach as long as the full complement of licensing and CCDF health and safety standards was representative and the frequency was at least annually.

a) **Licensing Inspectors** - It will have policies and practices that ensure that individuals who are hired as licensing inspectors in the State/Territory are qualified to inspect those child care providers and facilities and have received training in related health and safety requirements, and are trained in all aspects of the State's licensure requirements.
(658E(c)(2)(K)(i)(I))

Yes.

The State/Territory certifies that as of March 1, 2016 it has policies and practices that ensure that individuals who are hired as licensing inspectors in the State/Territory are qualified to inspect those child care providers and facilities and have received training in related health and safety requirements, and are trained in all aspects of the State's licensure requirements. List the policy citation and describe the qualifications, including at a minimum how inspector qualifications address training related to the language and cultural diversity of the providers, and how qualifications address being appropriate to the age of children in care and type of provider setting:

Individuals hired to be inspectors are required to have at least a bachelor's degree and must complete the Basic Skills Development course (BSD). BSD includes four weeks of pre-classroom work and 10 weeks of instruction. Health and safety requirements are covered in both the Application module and the Minimum Standards module. Language and cultural diversity are addressed in the Ethics module. DFPS follows the guidelines in the Texas Health and Human Services Commission's (HHSC) Human Resource Manual for hiring and training requirements. Licensing inspectors have an opportunity to advance in their career when tenure and ongoing training requirements are met in accordance with the HHSC inspector classification series, and DFPS certification policy. Also see Human Resources Code §42.021 and Title 40 Texas Administrative Code (TAC), Chapter 702, Subchapter G.

No. If no, the State/Territory must provide a State/Territory-specific implementation plan for achieving compliance with this requirement, including planned activities, necessary legislative or regulatory steps to complete, and target completion date (no later than November 19, 2016). Please provide brief text responses and descriptions only. Do not cut and paste charts or tables here. Your responses will be consolidated electronically into an Implementation Plan summary report.

Overall Target Completion Date (no later than November 19, 2016)

Overall Status - Describe the State/Territory's overall status toward complete implementation for this requirement(s) (not yet started, partially implemented, substantially implemented, other)

Implemented requirement(s) - Identify any requirement(s) implemented to date if applicable

Tasks/Activities - What specific steps will you take to implement the unmet requirement (e.g., legislative or rule changes, modify agreements with coordinating agencies, etc.)

Projected start date for each activity:

Projected end date for each activity:

Agency - Who is responsible for complete implementation of this activity

Partners - Who is the responsible agency partnering with the State/Territory lead agency to complete implementation of this activity

b) Inspections for Licensed CCDF Providers - It will require licensing inspectors to perform inspections, with not less than one precicensure inspection, for compliance with health, safety, and fire standards, of each such child care provider and facility in the State/Territory. It will require licensing inspectors to perform not less than annually, one unannounced inspection of licensed CCDF providers for compliance with all child care licensing standards, which shall include an inspection for compliance with health, safety, and fire standards (inspectors may inspect for compliance with all 3 standards at the same time. (658E(c)(2)(K)(i)(II))

Yes.

The State/Territory certifies that as of March 1, 2016 it has policies and practices regarding inspections for licensed CCDF providers. List the policy citation and describe the inspection requirements including the frequency of announced and unannounced visits

No. If no, the State/Territory must provide a State/Territory-specific implementation plan for achieving compliance with this requirement, including planned activities, necessary legislative or regulatory steps to complete, and target completion date (no later than November 19, 2016). Please provide brief text responses and descriptions only. Do not cut and paste charts or tables here. Your responses will be consolidated electronically into an Implementation Plan summary report.

Overall Target Completion Date (no later than November 19, 2016) [11/1/2016](#)

Overall Status - Describe the State/Territory's overall status toward complete implementation for this requirement(s) (not yet started, partially implemented, substantially implemented, other) [Other](#)

Implemented requirement(s) - Identify any requirement(s) implemented to date if applicable

Unmet requirement - Identify the requirement(s) to be implemented **require licensing inspectors to perform inspections, with not less than one prelicensure inspection, for compliance with health, safety, and fire standards, of each such child care provider and facility in the State/Territory.**

Tasks/Activities - What specific steps will you take to implement the unmet requirement (e.g., legislative or rule changes, modify agreements with coordinating agencies, etc.)

DFPS Child Care Licensing (CCL) and TWC will collaborate on data sharing to ensure that CCL is able to identify which child care providers are CCDF eligible providers.

DFPS CCL will work with its IT division to develop solutions for identifying CCDF providers in the CCL Automated Support System and creating an alert when a registered child care home becomes CCDF-eligible, to prompt an annual inspection time frame. The IT division must also determine if any calculation changes are needed to CCL's weighted enforcement system for registered child care homes.

DFPS CCL must develop policy and procedures to ensure that registered child care homes that have been identified as CCDF-eligible are inspected annually. (Registered child care homes are currently inspected once every two years.)

DFPS CCL must develop policy and procedures to ensure that all minimum standards are evaluated annually (all minimum standards are currently evaluated every two years) or that an abbreviated inspection based on a risk assessment model for eligible providers is completed.

Projected start date for each activity: 11/1/2015

Projected end date for each activity: 11/1/2016

Agency - Who is responsible for complete implementation of this activity
DFPS

Partners - Who is the responsible agency partnering with the State/Territory lead agency to complete implementation of this activity

TWC

c) Inspections for License-Exempt CCDF Providers (except those serving relatives) -

It will have policies and practices that require licensing inspectors (or qualified monitors designated by the lead agency) of child care providers and facilities to perform an annual monitoring visit of each license-exempt CCDF provider (unless the provider is described in section (658P(6)(B)). (658E(c)(2)(K)(ii)(IV))

Yes.

The State/Territory certifies that as of March 1, 2016 it has policies and practices regarding inspections for license-exempt CCDF providers. List the policy citation and describe the annual monitoring visit requirements:

Other than eligible relatives, licensed-exempt providers are not eligible to care for subsidized children.

No. If no, the State/Territory must provide a State/Territory-specific implementation plan for achieving compliance with this requirement, including planned activities, necessary legislative or regulatory steps to complete, and target completion date (no later than November 19, 2016). Please provide brief text responses and descriptions only. Do not cut and paste charts or tables here. Your responses will be consolidated electronically into an Implementation Plan summary report.

Overall Target Completion Date (no later than November 19, 2016)

Overall Status - Describe the State/Territory's overall status toward complete implementation for this requirement(s) (not yet started, partially implemented, substantially implemented, other)

Implemented requirement(s) - Identify any requirement(s) implemented to date if applicable

Tasks/Activities - What specific steps will you take to implement the unmet requirement (e.g., legislative or rule changes, modify agreements with coordinating

agencies, etc.)

Projected start date for each activity:

Projected end date for each activity:

Agency - Who is responsible for complete implementation of this activity

Partners - Who is the responsible agency partnering with the State/Territory lead agency to complete implementation of this activity

d) **Ratio of Licensing Inspectors**) - It will have policies and practices that require the ratio of licensing inspectors to such child care providers and facilities in the State/Territory to be maintained at a level sufficient to enable the State to conduct inspections of such child care providers and facilities on a timely basis in accordance with Federal, State, and local law. (658E(c)(2)(K)(i)(III))

Yes.

The State/Territory certifies that it has policies and practices regarding the ratio of licensing inspectors to such child care providers and facilities in the State/Territory. List the policy citation and list the State/Territory ratio of licensing inspectors:

DFPS CCL uses historical data to calculate the number of full-time employees needed to maintain current ratios if or when a new regulatory activity (such as increased inspections) is added or when changes occur that increase the span of regulation (e.g., a change to exemptions that requires more operations to be regulated). The current ratio of licensing inspectors to operations is 1:78.5.

No. If no, the State/Territory must provide a State/Territory-specific implementation plan for achieving compliance with this requirement, including planned activities, necessary legislative or regulatory steps to complete, and target completion date (no later than November 19, 2016). Please provide brief text responses and descriptions only. Do not cut and paste charts or tables here. Your responses will be consolidated electronically into an Implementation Plan summary report.

Overall Target Completion Date (no later than November 19, 2016)

Overall Status - Describe the State/Territory's overall status toward complete implementation for this requirement(s) (not yet started, partially implemented, substantially implemented, other)

Implemented requirement(s) - Identify any requirement(s) implemented to date if applicable

Tasks/Activities - What specific steps will you take to implement the unmet requirement (e.g., legislative or rule changes, modify agreements with coordinating agencies, etc.)

Projected start date for each activity:

Projected end date for each activity:

Agency - Who is responsible for complete implementation of this activity

Partners - Who is the responsible agency partnering with the State/Territory lead agency to complete implementation of this activity

e) **Child Abuse and Neglect Reporting** - That child abuse reporting requirements are in place and comply with section of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a(b)(2)(B)(i)) (658E(c)(2)(L))

Yes.

Fully implemented and meeting all Federal requirements outlined above. List the Lead Agency's policy citation(s):

Texas Family Code §261.101 requires any individual who believes that a child or person 65 years or older or an adult with disabilities is being abused, neglected, or exploited to report the circumstances to the DFPS Abuse Hotline. These requirements are further outlined in 40 TAC §§744.201(5), 744.1201(5), 746.201(5), 746.1201(5), 747.207(5), and 747.1501(b). A report may be made by calling the hotline at 1-800-252-5400 or online at <https://www.txabusehotline.org>.

No. If no, the State/Territory must provide a State/Territory-specific implementation plan for achieving compliance with this requirement, including planned activities, necessary legislative or regulatory steps to complete, and target completion date (no later than November 19, 2016). Please provide brief text responses and descriptions only. Do not cut and paste charts or tables here. Your responses will be consolidated electronically into an Implementation Plan summary report.

Overall Target Completion Date (no later than November 19, 2016)

Overall Status - Describe the State/Territory's overall status toward complete

implementation for this requirement(s) (not yet started, partially implemented, substantially implemented, other)

Implemented requirement(s) - Identify any requirement(s) implemented to date if applicable

Tasks/Activities - What specific steps will you take to implement the unmet requirement (e.g., legislative or rule changes, modify agreements with coordinating agencies, etc.)

Projected start date for each activity:

Projected end date for each activity:

Agency - Who is responsible for complete implementation of this activity

Partners - Who is the responsible agency partnering with the State/Territory lead agency to complete implementation of this activity

5.2.3 States and Territories have the option to exempt relatives (as defined in CCDF regulations as grandparents, great-grandparents, siblings if living in a separate residence, aunts, and uncles, 98.41(A)(ii)(A)) from inspection requirements.

Note this exception only applies if the individual cares ONLY for relative children. Does the State/Territory exempt relatives from inspection requirements listed in 5.2.2?

Yes, all relatives are exempt from all inspection requirements.

If the State/Territory exempts all relatives from the inspection requirements, describe how the State ensures the health and safety of children in relative care.

Although all eligible relatives are exempt from the CCDF health and safety requirements, state law requires exempt relatives to list with DFPS as a family home. For listed family homes, DFPS conducts a name-based criminal background check as well as a check against the child abuse and neglect registry. Federal Bureau of Investigation fingerprint background checks are not conducted for listed family homes. Exempt relatives are the only listed family homes eligible to care for CCDF children.

Yes, some relatives are exempt from inspection requirements.

If the State/Territory exempts some relatives from the inspection requirements, describe which relatives are exempt from which requirements (all or some) and include how the State/Territory ensures the health and safety of children in relative care.

No, relatives are not exempt from inspection requirements.

5.3 Criminal Background Checks

The CCDBG Act of 2014 added new requirements for States and Territories receiving CCDF funds to conduct criminal background checks on child care staff members and prospective staff members of child care providers. States and Territories must have requirements, policies, and procedures in place to conduct criminal background checks for staff members of child care providers (other than relatives) that are licensed, regulated or registered under State/Territory law or receive CCDF funds. Background check requirements apply to any staff member who is employed by a child care provider for compensation or whose activities involve the care or supervision of children or unsupervised access to children. For family child care homes, this includes the caregiver requesting a check of him/herself, as well as other adults in the household that may have unsupervised access to children. These provisions must be in place no later than September 30, 2017.

The CCDBG Act of 2014 specifies what a comprehensive criminal background check includes and a child care provider must submit a request to the appropriate State/Territory agency for a criminal background check for each child care staff member, including prospective child care staff members at least once every 5 years. A criminal background check must include a search of: State criminal and sex offender registry in the State where the staff member resides and each State where the staff member has resided over the past 5 years; State child abuse and neglect registry in the State where the staff member resides and each State where the staff member has resided over the past 5 years, National Crime Information Center (run by the FBI); FBI fingerprint check using Next Generation Identification ; and National Sex Offender Registry. Child care staff members cannot be employed by a provider receiving CCDF if they refuse a background check; make materially false statements in connection with the background check; are registered or required to be registered on the State or National Sex Offender Registry; have been convicted of a felony consisting of: murder, child abuse or neglect, crimes against children, spousal abuse, crime involving rape or sexual assault, kidnapping, arson, physical assault or battery, or subject to an individual review, at the State's option, a drug-related offense committed during the preceding 5 years; or have been convicted of a violent misdemeanor committed as an adult against a child.

Timeliness of background checks - The State/Territory must conduct the background checks as quickly as possible and shall not exceed 45 days after the child care provider submitted the request. The State/Territory shall provide the results of the background check in a statement that indicates whether the staff member is eligible or ineligible, without revealing specific

disqualifying information. If the staff member is ineligible, the State/Territory will provide information about each disqualifying crime to the staff member.

Fees for background checks - Fees that a State/Territory may charge for the costs of processing applications and administering a criminal background check may not exceed actual costs to the State/Territory for processing and administration.

Transparency - The State/Territory must ensure that policies and procedures for conducting criminal background checks are published on the State/Territory's consumer education website (also see section 2.3) or other publicly available venue.

Appeals process - The State/Territory shall have a process for a child care staff member to appeal the results of their background check to challenge the accuracy and completeness.

Privacy considerations - Lead Agency may not publicly release the results of individual background checks.

5.3.1 Describe the status of the State/Territory's requirements, policies, and procedures for criminal background checks for child care staff members and child care providers.

Fully implemented and meeting all Federal requirements outlined above.

List the policy citation within the Lead Agency's rules and describe the policies and procedures for criminal background checks using 5.3.2 through 5.3.9 below.

Not implemented. The State/Territory must provide a State/Territory-specific implementation plan for achieving compliance with this requirement, including planned activities, necessary legislative or regulatory steps to complete, and target completion date (no later than September 30, 2017). Please provide brief text responses and descriptions only. Do not cut and paste charts or tables here. Your responses will be consolidated electronically into an Implementation Plan summary report.

Overall Target Completion Date (no later than September 30, 2017) **9/30/2017**

Overall Status - Describe the State/Territory's overall status toward complete implementation for this requirement(s) (not yet started, partially implemented, substantially implemented, other) **Partially implemented**

Implemented requirement(s) - Identify any requirement(s) implemented to date if applicable

The following background checks are currently required for all center-based child care facilities:

(1) A name-based criminal history check: the Department of Public Safety (DPS) conducts a comparative search between a person's name and the DPS database

of crimes committed in the State of Texas;

(2) A fingerprint-based criminal history check: DPS and the Federal Bureau of Investigation (FBI) conduct comparative searches between a person's fingerprints and the DPS database of crimes committed in the State of Texas and the FBI database of crimes committed anywhere in the United States, respectively; and

(3) A DFPS central registry check: DFPS conducts a comparative search between a person's name and the DFPS central registry, which is a DFPS database of people who have been found by DFPS's divisions of Child Protective Services, Adult Protective Services, or Licensing to have abused or neglected a child.

The following background checks are currently required for all licensed homes:

1) A name-based criminal history check: the Department of Public Safety (DPS) conducts a comparative search between a person's name and the DPS database of crimes committed in the State of Texas; and

(2) A DFPS central registry check: DFPS conducts a comparative search between a person's name and the DFPS central registry, which is a DFPS database of people who have been found by DFPS's divisions of Child Protective Services, Adult Protective Services, or Licensing to have abused or neglected a child.

Unmet requirement - Identify the requirement(s) to be implemented. Requirements, policies, and procedures in place to conduct criminal background checks for staff members of child care providers (other than relatives) that are licensed, regulated or registered under State/Territory law or receive CCDF funds.

Tasks/Activities - What specific steps will you take to implement the unmet requirement (e.g., legislative or rule changes, modify agreements with coordinating agencies, etc.)

1. **General clarification of requirements: Clarification is needed**

from the Administration for Children and Families' Office of Child Care (ACF-OCC) regarding interpretation of some of the requirements, particularly ones that appear to be duplicative.

2. NCIC checks

- **Specific steps to be taken to complete requirement:**
 - **Obtain clarification from ACF-OCC regarding what information should be obtained from this database and how it should be used;**
 - **Establish agreements between the Texas Department of Family and Protective Services (DFPS), the Texas Department of Public Safety (DPS, Texas' criminal history repository), and the FBI for searches and results.**
 - **Identify and implement technology changes necessary to access and store results;**
 - **Complete DFPS rule, policy, and procedure updates to reflect this requirement; and**
 - **Coordinate with existing providers and/or child care staff to come into compliance with this requirement.**
- **Projected Start date: 9/1/2015**
- **Projected End date: 9/30/2017**
- **Agency responsible for completion of this activity: DFPS**
- **Partners: ACF-OCC, DPS, FBI**

3. Out-of-state abuse/neglect check

- **Specific steps to be taken to complete requirement:**
 - **Establish background check processes between DFPS and other state agencies with abuse/neglect repositories for searches and results;**
 - **Complete DFPS rule, policy, and procedure updates to reflect this requirement; and**
 - **Coordinate with existing providers and/or child care staff to come into compliance with this requirement.**
- **Projected Start date: 9/1/2015**
- **Projected End date: 9/30/2017**
- **Agency responsible for completion of this activity: DFPS**
- **Partners: Other state agencies responsible for abuse/neglect registries**

4. Recheck of state and national SORs

- **Specific steps to be taken to complete requirement:**
 - **Obtain clarification on requirement from ACF-OCC;**
 - **Adapt technology to incorporate national Rap Back Subscription service, which will provide real-time results of any new criminal activity (including sex offender registration)**
 - **Establish agreements between DFPS, DPS, FBI, and U.S. Department of Justice (DOJ), as deemed necessary, for searches and results;**
 - **Complete DFPS rule, policy, and procedure updates**

- to reflect this requirement; and*
 - Coordinate with existing providers and/or child care staff to come into compliance with this requirement.*
 - Projected Start date: 9/1/2015*
 - Projected End date: 9/30/2017*
 - Agency responsible for completion of this activity: DFPS*
 - Partners: AFC-OCC, DPS, FBI, and DOJ*
- 5. *Not requiring new background check at subsequent child care operations if one already completed within previous five years***
 - Specific steps to be taken to complete requirement:*
 - Technology changes will need to be identified and implemented in order to modify the current recheck system and create a system that meets the federal requirements; and*
 - Make rule, policy, and procedure changes to address the new requirements.*
 - Projected Start date: 9/1/2015*
 - Projected End date: 9/30/2017*
 - Agency responsible for completion of this activity: DFPS*
 - Partners: Not yet identified*
- 6. *Disqualifying child care staff for making materially false statements in conjunction with their background checks***
 - Specific steps to be taken to complete requirement:*
 - Obtain clarification on definition of materially false statements from ACF-OCC; and*
 - Make rule, policy, and procedure changes to address this requirement.*
 - Projected Start date: 9/1/2015*
 - Projected End date: 9/30/2017*
 - Agency responsible for completion of this activity: DFPS*
 - Partners: ACF-OCC*
- 7. *45-day time limit for providing results***
 - Specific steps to be taken to complete requirement:*
 - Obtain clarification from ACF-OCC on how to interpret and meet the 45-day time limit;*
 - Since DFPS will have little control over the timely receipt of the added out-of-state abuse/neglect checks, the agency will need to work with other states to reach agreement on reasonable time frames;*
 - Coordinate with existing providers and child care staff to come into compliance with this requirement; and*
 - Make rule, policy, and procedure changes to address this requirement.*
 - Projected Start date: 9/1/2015*
 - Projected End date: 9/30/2017*
 - Agency responsible for completion of this activity: DFPS*

- **Partners: Other state agencies responsible for abuse/neglect registries**
8. **Disqualifying individuals for violent misdemeanor committed as an adult against a child**
- **Specific steps to be taken to complete requirement:**
 - **DFPS completes an annual review of criminal history requirements charts for child care operations and publishes the changes in January each year. The agency will coordinate with its legal division and internal stakeholders to ensure the next chart and supporting rule adequately address this type of violent misdemeanor;**
 - **DFPS will coordinate with existing child care staff to come into compliance with this requirement; and**
 - **Make policy and procedure changes to address this requirement.**
 - **Projected Start date: 8/1/2015**
 - **Projected End date: 9/30/2017**
 - **Agency responsible for completion of this activity: DFPS**
 - **Partners: None identified**
9. **Only providing statement of eligible or ineligible to provider and child care staff**
- **Specific steps to be taken to complete requirement:**
 - **DFPS currently provides details of criminal history results-unsustained findings deemed immediate risk and sustained abuse/neglect findings-directly to child care providers. Technology changes will have to be made to change the content and format of the information sent to child care providers and to include the subject of the background check in the sending; and**
 - **Make rule, policy, and procedure changes to address this requirement.**
 - **Projected Start date: 9/1/2015**
 - **Projected End date: 9/30/2017**
 - **Agency responsible for completion of this activity: DFPS**
 - **Partners: None identified**
10. **Providing staff member with details of any disqualifying crime**
- **Specific steps to be taken to complete requirement:**
 - **DFPS currently provides some information to child care staff about their background check results, but only related to unsustained findings for abuse/neglect and only as part of offering them an opportunity for due process in response to these findings. Technology and process changes will need to be completed to capture the information needed to provide this notification and to coordinate sending it**

- **Projected Start date: 9/1/2015**
- **Projected End date: 9/30/2017**
- **Agency responsible for completion of this activity: DFPS**
- **Partners: None identified**

11. Timely appeals process with notice provided to staff members

- **Specific steps to be taken to complete requirement:**
 - **Edit and/or draft policies, procedures, and rules related to this requirement;**
 - **Make technology process changes to incorporate necessary information into notification to the child care staff member; and**
 - **Validate background check result appeal instructions with DPS, FBI, or other state criminal and abuse/neglect history repositories (if applicable).**
- **Projected Start date: 9/1/2015**
- **Projected End date: 9/30/2017**
- **Agency responsible for completion of this activity: DFPS**
- **Partners: DPS, FBI, other state criminal and abuse/neglect history repositories**

12. State criminal history check for any state where the individual has resided within the last five years

- **Specific steps to be taken to complete requirement:**
 - **Obtain clarification from ACF-OCC on this requirement;**
 - **Develop manual and/or technological processes to facilitate completion of these checks;**
 - **Make rule, policy, and procedure changes to address this requirement; and**
 - **Coordinate with existing providers and/or child care staff to come into compliance with this requirement.**
- **Projected Start date: 9/1/2015**
- **Projected End date: 9/30/2017**
- **Agency responsible for completion of this activity: DFPS**
- **Partners: ACF-OCC, other state criminal history repositories**

13. FBI fingerprint-based check for home-based child care providers

- **Specific steps to be taken to complete requirement:**
 - **Legislative authority for these FBI checks has been requested by DFPS and granted with an effective date of September 1, 2016;**
 - **Discussion with state criminal history repository and fingerprinting vendor about increased volume of**

- checks-completed, no problems anticipated;*
 - Make rule, policy, and procedure changes to incorporate this requirement; and*
 - Coordinate with existing providers and/or child care staff to come into compliance with this requirement.*
 - Projected Start date: 9/1/2015*
 - Projected End date: 9/1/2017*
 - Agency responsible for completion of this activity: DFPS*
 - Partners: FBI, DPS, and fingerprinting vendor*
14. **National Sex offender registry for home-based child care provider. Specific steps to be taken to complete requirement:**
- Obtain clarification from ACF-OCC;*
 - Establish agreements between DFPS, DPS, FBI, and DOJ (as deemed necessary) for searches and results;*
 - Make changes to rules, policies, and procedures to address this requirement; and*
 - Coordinate with existing providers and/or child care staff to come into compliance with this requirement.*
 - Projected Start date: 9/1/2015*
 - Projected End date: 9/30/2017*
 - Agency responsible for completion of this activity: DFPS*
 - Partners responsible for partnering with DFPS to complete this activity: ACF-OCC, DPS, FBI, and DOJ*
15. **State SOR checks for any other state where the individual has resided within the last five years (for home-based providers). Specific steps to be taken to complete requirement:**
- Obtain clarification from ACF-OCC;*
 - Establish agreements between DFPS and other states (as deemed necessary) for searches and results;*
 - Develop manual and/or technological processes to facilitate completion of checks;*
 - Make changes to rules, policies, and procedures to address this requirement; and*
 - Coordinate with existing providers and/or child care staff to come into compliance with this requirement.*
 - Projected Start date: 9/1/2015*
 - Projected End date: 9/30/2017*
 - Agency responsible for completion of this activity: DFPS*
 - Partners: ACF-OCC and other states' agencies responsible for maintaining state SORs*

Projected start date for each activity: 09/01/2015

Projected end date for each activity: 09/30/2017

Agency - Who is responsible for complete implementation of this activity

DFPS

Partners - Who is the responsible agency partnering with the State/Territory lead agency to complete implementation of this activity

ACF-OCC, DPS, FBI, and DOJ

5.3.2 Describe the process and procedures for conducting background checks in a timely manner, including which agency/entity is responsible and how the Lead Agency ensures that background checks performed by a 3rd party meet the requirements, protecting the privacy of child care staff members, and providing opportunities for applicants to appeal the results of background checks.

Describe:

This is an unmet requirement included in the implementation plan.

5.3.3 Describe how the State/Territory is assisting other States process background checks, including which agency/entity is responsible for working with other states

Describe:

This is an unmet requirement included in the implementation plan.

5.3.4 Does the State have a review process for individuals disqualified due to a felony drug offense to determine if that individual is still eligible for employment?

Yes.

Describe:

No.

5.3.5 Does the Lead Agency disqualify child care staff members based on their conviction for other crimes not specifically listed above?

Yes.

Describe:

No.

5.3.6 Does your State State/Territory exempt relatives (defined in CCDF regulations as grandparents, great-grandparents, siblings if living in a separate residence, aunts, and uncles, 98.41(A)(ii)(A)) from background checks?

Yes, all relatives are exempt from all background check requirements.

Yes, some relatives are exempt from the background check requirements. If the State /Territory exempts some relatives from background check requirements, describe which relatives are exempt. from which requirements (some or all).

Describe.

- Relatives, as defined in 45 CFR §98.41(a)(1)(ii)(A) are required to list as a family home with DFPS. To be listed with DFPS, the caregiver and anyone living in the home over 14 years of age must undergo criminal background and DFPS abuse and neglect central registry checks.

No, relatives are not exempt from background checks.

5.3.7 Describe how fees charged for completing the background checks do not exceed the actual cost of processing and administration, including how the State State/Territory ensures that 3rd party vendors or contractors do not charge fees that exceed the actual cost of processing and administration, if applicable.

Lead Agencies can report that no fees are charged if applicable:

Describe.

This is an unmet requirement included in the implementation plan.

5.3.8 Describe how background check policies and procedures are published on the State/Territory consumer education website or made publicly available on another venue:

Describe.

DFPS posts the background rules at

http://www.dfps.state.tx.us/documents/Child_Care/Child_Care_Standards_and_Regulations/745_Sub_F_Background_Checks.pdf.

DFPS also posts the criminal convictions chart at

http://www.dfps.state.tx.us/Child_Care/Child_Care_Standards_and_Regulations/Criminal_Convictions.asp.

5.3.9 Does the Lead Agency release aggregated data by crime?

Yes.

List types of crime included in the aggregated data:

No.

6 Recruit and Retain a Qualified and Effective Child Care Workforce

Teacher-child interactions and relationships, intentional strategies to engage children and their parents, and use of curriculum and assessment to inform practices with children are key components of high quality child care. These require a competent, skilled, and stable workforce. Research has shown that specialized training and education, positive and well-organized work environments and adequate compensation promote teacher recruitment, stability, diversity of the early childhood workforce, and effectiveness with young children in child care. In addition, professional development strategies that emphasize on-site mentoring and coaching of teachers have emerged as promising to change practices with children and families. Professional development, whether training, on-site coaching and mentoring, registered apprenticeship, or higher education coursework, should reflect the research and best practices of child development in all domains and cultural competence.

The CCDBG Act of 2014 requires States and Territories to establish professional development and training requirements in key areas such as health and safety, early learning guidelines,

responding to challenging behavior and engaging families. States and Territories are required to offer ongoing annual training and to establish a progression of professional development opportunities to improve knowledge and skills of CCDF providers. (658E(c)(2)(G)) An example of how a State/Territory might address this is to establish a system or framework of professional development that includes professional standards, a "career ladder" that allows an individual to build knowledge and skills in a cumulative manner from introductory training to advance level education, including obtaining credentials and post-secondary degrees. Professional development should be designed in a manner that aligns to competencies and qualifications that reflect working with children of different ages, English language learners, children with disabilities and the differentiated roles in all settings, such as teachers, teacher assistants, and directors. Training and education supporting professional development is also one of the options States and Territories have for investing their CCDF quality funds. (658G(b)(1)) ACF encourages States and Territories to collaborate and coordinate with other early childhood educator professional development resources, such as Race to the Top Early Learning Challenge grants, quality funds available through the Preschool Development grants, and funds available through Head Start and Early Head Start, to the extent practicable. Responsive, well-qualified adult caregivers are one of the most important factors in children's development and learning in child care settings. ACF strongly encourages States and Territories to link CCDF health and safety trainings (see Section 5) and child development trainings and education to this broader professional development framework as the foundation for building a knowledgeable early childhood education workforce. Questions related to requirements for recruiting and retaining a qualified and effective child care workforce have been consolidated into Section 6.

6.1 Training and Professional Development Requirements

The CCDBG Act of 2014 added a requirement that the State/Territory develop training and professional development requirements designed to enable child care providers to promote the social, emotional, physical and cognitive development of children and to improve the knowledge and skills of the child care workforce. Such requirements shall be applicable to child care providers caring for children receiving CCDF across the entire age span from birth through age 12. (658E(c)(2)(G)) Training and professional development should be accessible and appropriate across settings and types of providers, including family child care home providers and child care center staff.

The State/Territory also must develop and implement strategies to strengthen the business practices of child care providers to expand the supply and improve the quality of child care services. (658E(c)(2)(V))

For purposes of this section, the term professional development is inclusive of credit bearing coursework, postsecondary degree programs, and technical assistance (targeted assistance

such as mentoring, coaching or consultation) activities. Health and safety topics that require renewal of a credential or certification should be considered continuing education unit trainings.

6.1.1 Describe the status of the State's training and professional development requirements to enable child care providers to promote the social, emotional, physical, and cognitive development of children and to improve the knowledge and skills of the child care workforce.

a) Provide ongoing training and professional development that is accessible for the diversity of providers in the State/Territory; provide for a progression of professional development reflecting research and best practice to meet the developmental needs of participating infants, toddlers, preschool, and school-age children and that is aligned to foundational and specialized competencies (including different ages of children, English language learners, and children with disabilities); and improve the quality and stability of the child care workforce (such as supports an individual to build on entry- and mid-level training and education (which may include higher education) to attain a higher level credential or professional certification and retention in the child care program).

b) Are developed in consultation with the State Advisory Council (SAC) on Early Childhood Education and Care or other state or state-designated cross-agency body if there is no SAC that addresses training, professional development and education of child care providers and staff.)

c) Incorporate knowledge and application of the State/Territory's early learning and developmental guidelines (where applicable), the State/Territory's health and safety standards (as described in section 5), and incorporate social-emotional/behavioral and early childhood mental health intervention models, which may include positive behavior intervention and support models (as described in Section 2)

d) Are accessible to providers supported through Indian tribes or tribal organizations receiving CCDF

e) Appropriate, to the extent practicable, for child care providers caring for children receiving child care subsidies, including children of different age groups, English language learners, children with disabilities, and Native Americans, including Indians and Native Hawaiians.

Fully implemented and meeting all Federal requirements outlined above. Describe using 6.1.2 through 6.1.6 below.

Not implemented. The State/Territory must provide a State/Territory-specific implementation plan for achieving compliance with this requirement, including

planned activities, necessary legislative or regulatory steps to complete, and target completion date (no later than September 30, 2016). Please provide brief text responses and descriptions only. Do not cut and paste charts or tables here. Your responses will be consolidated electronically into an Implementation Plan summary report.

Overall Target Completion Date (no later than September 30, 2016)

Overall Status - Describe the State/Territory's overall status toward complete implementation for this requirement(s) (not yet started, partially implemented, substantially implemented, other)

Implemented requirement(s) - Identify any requirement(s) implemented to date if applicable

Tasks/Activities - What specific steps will you take to implement the unmet requirement (e.g., legislative or rule changes, modify agreements with coordinating agencies, etc.)

Projected start date for each activity:

Projected end date for each activity:

Agency - Who is responsible for complete implementation of this activity

Partners - Who is the responsible agency partnering with the State/Territory lead agency to complete implementation of this activity

6.1.2 Describe how the State provides ongoing training and professional development, provides for a progression of professional development (such as allows an individual to build on entry- and mid-level training and education both in terms of the skills and knowledge they attain but also in terms of credit that leads toward a higher level credential or certification, including articulation agreements) reflecting research and best practice to meet the developmental needs of participating children and improve the quality and stability of the child care workforce:

 State/Territory professional standards and competencies.

Describe.

The Texas Core Competencies for Early Childhood Practitioners and Administrators were developed in 2011 and revised in 2013 through a collaboration between the Texas Early Learning Council (TELC) and the Texas Head Start State (THSSCO) Collaboration Office, both housed at the Children's Learning Institute (CLI) at the University of Texas Health Science Center.

The Texas Workforce Commission (TWC), Texas Department of Family and Protective Services (DFPS) participated in the development of the Core Competencies through the TELC.

*The Core Competencies are made available through the Texas Early Childhood Professional Development System (TECPDS) web site at:
<https://tecpds.org/CoreCompetencies.aspx>.*

The TRS caregiver standards include training aligned to the Core Competencies. TWC also includes a link to the Core Competencies through the Texas Rising Star (TRS) web site (<https://texasrisingstar.org/providers/provider-resources/>).

Core Competencies for practitioners are the following:

- ***Child Growth and Development***
- ***Responsive Interactions and Guidance***
- ***Learning Environments, Planning Framework, Curriculum and Standards***
- ***Supporting Skill Development***
- ***Observation and Assessment***
- ***Diversity and Dual Language Learners***
- ***Families and Community Relationships***
- ***Health, Safety, and Nutrition***
- ***Professionalism and Ethics***

Level of Practice:

- ***Beginner practitioners support early learning and development through adherence to program and regulatory policies.***
- ***Intermediate practitioners support early learning and development with increasing independence and effectiveness.***
- ***Advanced practitioners support early learning and development through leadership in the development of program policy and practice and their ability to enhance the knowledge and skills of others in the profession.***

Core Competencies for administrators are the following:

- ***Establishing and Maintaining an Effective Organization***

- **Business and Operations Management**
- **Human Resource Leadership and Development**
- **Maintaining a Healthy and Safe Environment**
- **Implementation of Developmentally Appropriate Curriculum and Environment**
- **Instituting Family- and Community-Centered Programming**

Level of Practice:

- **Beginning administrators lead and support the program by adhering to laws governed by the state and program policies.**
- **Intermediate administrators lead and support the program with increasing independence and effectiveness.**
- **Advanced administrators lead and support the program by providing strong leadership and high-quality program components that promote the well-being of children and families.**

Training modules for practitioners and administrators can be found at <https://tecpds.org/cctm-training/>.



Career ladder or lattice.

Describe.

The Early Childhood Career Lattice allows early childhood professionals to relate training hours, education, work experience, and other factors to a position on the career lattice. Based on the level of education, annual training, and experience that practitioners and administrators have achieved, they are designated as beginner, intermediate, or advanced.



Articulation agreements between two- and four-year postsecondary early childhood education or degree programs.

Describe.

The Children's Learning Institute (CLI) offers the Improving Teacher Preparation Grant, which supports early childhood faculty at institutions of higher education in delivering the highest quality instruction possible to teachers of high school and college students enrolled in early childhood classes. The program offers faculty stipends to attend professional development sessions, implement cutting-edge techniques in their classes, and engage with high school teachers to help high school students earn early childhood college credit.

More information on the grant is available at

<https://www.childrenslearninginstitute.org/programs/improving-teacher->

[preparation/](#).

The Early Learning Council (ELC) worked with MCCM Associates to develop the Higher Education Articulation Agreement Toolkit. The project met the following objectives:

- ***Collected and reviewed data on articulation agreements;***
- ***Analyzed data and developed recommendations on articulation agreements; and***
- ***Created a higher education articulation agreement toolkit for communities.***

More information on the project and toolkit is available at

<http://earlylearningtexas.org/articulation-toolkit.aspx>



Community-based training approved by a state regulatory body to meet licensing or regulatory requirements.

Describe.



Workforce data, including recruitment, retention, registries or other documentation, and compensation information.

Describe.

ELC Workforce Survey

ELC worked with the University of Texas School of Social Work's Austin Child and Family Research Institute to research, develop, and implement the compensation study survey. The purpose of the survey was to gather accurate information about the wages of child care workers, as well as the retention of these workers. The survey gathered compensation and retention data from home-based providers, center directors, and center workers. To gather a complete picture of the compensation of all child care workers, the final report includes information about the compensation of public school prekindergarten teachers and Head Start teachers.

The research team collected data from home-based providers and center-based directors and workers on several topics to achieve the objective of the compensation study, which was to gain accurate information about the compensation and retention of child care workers. Data was collected on

compensation (e.g., average income, vacation time, and benefits); retention (e.g., total number of years in early childhood education, number of years in the current position and with the current employer, and plans to stay in current position); demographics (i.e., age, gender, race, early childhood education sector, Texas region, and education); and career (e.g., plans for more formal education and to stay in the field).

More information on the ELC Workforce Survey can be found at <http://earlylearningtexas.org/1475.aspx>.

Practitioner/Trainer Registry:

As of September 2015, there are over 1, 000 individuals in the Trainer Registry and 53 early care and education professionals in the Workforce Registry.

- Advisory structure that provides recommendations for the development, revision, and implementation of the professional development system or framework.

Describe.

The purpose of the Texas Early Childhood Professional Development System (TECPDS) Advisory Council supports early childhood professionals by providing them with resources and tools to help meet their professional development needs. TECPDS defines professional development as any opportunity that enhances the knowledge and skills of those working with young children, including training, education, and employment.

The four components of TECPDS are as follows:

- Core Competencies*
- Texas Trainer Registry*
- Texas Workforce Registry*
- Career Lattice*



Continuing education unit trainings and credit-bearing professional development.

Describe.

Texas A&M AgriLife offers online courses for child care professionals seeking to fulfill state-mandated training requirements or obtain hours toward the Child Development Associate (CDA) national credential.

T.E.A.C.H. Associate Degree Scholarships

T.E.A.C.H. Early Childhood® TEXAS provides scholarships for those working in licensed child care centers and registered or licensed family child care homes in Texas.

Scholarships are available for the following:

- CDA Assessment Fee***
- Associate Degree***
- Bachelor Degree***



State-approved trainings.

Describe.



Inclusion in state and/or regional workforce and economic development plans.

Describe.



Other.

Describe.

6.1.3 Describe how the State/Territory developed its training and professional development requirements in consultation with the State Advisory Council (SAC) on Early Childhood Education and Care (if applicable) or other state or state-designated cross-agency body if there is no SAC

Describe.

TECPDS' Core Competencies and Career Lattice are aligned with corresponding categories of competencies: beginner competencies, intermediate competencies, or advanced competencies. The Core Competencies and the Career Lattice are statements of skills and knowledge in which early childhood professionals should be fluent for successful careers. Early childhood professionals are expected to be able to demonstrate different levels of competencies at different stages in their career development.

6.1.4 Describe how the State/Territory incorporates knowledge and application of the State's early learning and developmental guidelines (where applicable), the State/Territory's health and safety standards (as described in section 5), and

incorporates social-emotional/behavioral and early childhood mental health intervention models, which may include positive behavior intervention and support models (as described in Section 2) into its training and professional development requirements

Describe.

Health and Safety

Core Competency Area 8 is Health, Safety, and Nutrition. The competencies address core knowledge and skills necessary to ensure children's safety, promote sound health practices, recognize and respond to child abuse and neglect, and provide nutritious meals and snacks; it includes knowledge of a broad array of prevention, preparedness, and implementation of health and safety practices.

Social/Emotional Development

Core Competency Area 2 is Responsive Interactions and Guidance. The competencies address core knowledge and skills necessary to promoting positive interactions and using developmentally appropriate guidance techniques in accordance with children's ages and developmental level.

6.1.5 Describe how the State's training and professional development requirements are accessible to providers supported through Indian tribes or tribal organizations receiving CCDF (as applicable)

Describe.

The Early Learning Guidelines, Professional Development Core Competencies, and TECPDS Trainer Registry, as well as the Texas Education Agency's (TEA) training on the prekindergarten guidelines are available online to tribes and tribal organizations. TWC includes tribes in all professional development outreach activities through the .gov email delivery system.

6.1.6 Describe how the State/Territory's training and professional development requirements are appropriate, to the extent practicable, for child care providers caring for children receiving child care subsidies, including children of different age groups (such as specialized credentials for providers who care for infants and/or school-age

children), English language learners, children with disabilities, and Native Americans, including Indians and Native Hawaiians.

Describe.

Infant/toddler and prekindergarten guidelines address special needs, English language learners, and cultural diversity.

The Core Competencies reference diversity and dual language learners and family and community relationships.

Child Care Licensing Minimum Standards

Caregivers have the option of obtaining their remaining training hours in cultural diversity for children and families and care of children with special needs.

For caregivers providing care for children under 24 months of age, one hour of caregivers' annual training must cover the following topics:

- Recognizing and preventing shaken baby syndrome;*
- Preventing sudden infant death syndrome; and*
- Understanding early childhood brain development.*

6.1.7 Describe the strategies the State/Territory uses to recruit and retain providers who will serve eligible children. Check all that apply and describe.

Financial assistance for attaining credentials and post-secondary degrees.

Describe.

Local Workforce Development Boards (Boards) scholarships to providers and caregivers to assist them in receiving CDAs or completing early education courses.

TWC provided CCDF to the Texas Association for the Education of Young Children (TAEYC) for the T.E.A.C.H. scholarship program, which provides financial assistance for attainment of credentials and postsecondary degrees. TAEYC conducts various outreach activities to promote the program. Since April 2014, TAEYC has conducted 40 separate outreach activities throughout the state, including presentations at regional and statewide early education conferences, presentations to Local Workforce Development Boards, conference calls with child care resource and referral agencies, and email announcements to child care providers.

Financial incentives linked to education attainment and retention.

Describe.

Local Workforce Development Boards (Boards) provide bonuses and stipends to providers and caregivers who receive CDA credentials or complete early education courses.

The T.E.A.C.H. scholarship program provides financial incentives (bonuses or wage increases) to caregivers who achieve credentials or complete college early childhood education coursework.

Registered apprenticeship programs.

Describe.

Outreach to high school (including career and technical) students.

Describe.

Policies for paid sick leave.

Describe.

Policies for paid annual leave.

Describe.

Policies for health care benefits.

Describe.

Policies for retirement benefits.

Describe.

Support for providers' mental health (such as training in reflective practices and stress reduction techniques, health and mental health consultation services).

Describe.

Other.

Describe.

Boards make providers aware of the subsidized child care program through

community-wide professional development opportunities, trainings, and conferences on issues and topics relevant to all child care providers in the workforce area.

The Department of Family and Protective Services (DFPS) Child Care Licensing staff inform newly licensed facilities of TWC's subsidized child care program and opportunities to provide services to subsidized children.

6.1.8 Describe how the State/Territory will recruit providers for whom English is not their first language, or who will serve and be available for families for whom English is not their first language.

Describe.

Outreach to providers described in 6.1.8 (conference, trainings and professional development) are available as necessary to providers for whom English is not their first language.

TWC requires Boards to provide translation services available to workforce customers. TWC and the Boards also provide informational materials to providers in Spanish and Vietnamese.

6.1.9 How will the Lead Agency overcome language barriers to serve providers for whom English is not their first language? Check the strategies, if any, that your State/Territory has chosen to implement.

- Informational materials in non-English languages
- Training and technical assistance in non-English languages
- CCDF health and safety requirements in non-English languages
- Provider contracts or agreements in non-English languages
- Website in non-English languages
- Bilingual caseworkers or translators available
- Collect information to evaluate on-going need, recruit, or train a culturally or linguistically diverse workforce
- Other.

Describe.

None

If the Lead Agency checked any option above related to providing information or services in other non-English languages, please list the primary languages offered (top 3) or specify that the State has the ability to have translation/interpretation in all primary and secondary languages

Spanish and Vietnamese

6.1.10 The State/Territory must use CCDF for activities to improve the quality or availability of child care, including training and technical assistance to providers on identifying and serving homeless children and families. (658E(c)(3)(B)(i) Describe the status of the State/Territory's training and technical assistance to providers on identifying and serving homeless children and their families (connects to Section 3.2.2).

Describe the status of the State/Territory's training and technical assistance to providers on identifying and serving homeless children and their families (connects to Section 3.2.2).

Yes.

Yes.

The State certifies that no later than March 1, 2016 it will provide training and technical assistance to providers on identifying and serving homeless children and their families.

Describe that training and technical assistance for providers

The State certifies that no later than March 1, 2016 it will provide training and technical assistance to providers on identifying and serving homeless children and their families.

Describe that training and technical assistance for providers

No. The State/Territory must provide a State/Territory-specific implementation plan for achieving compliance with this requirement, including planned activities, necessary legislative or regulatory steps to complete, and target completion date (no later than September 30, 2016). Please provide brief text responses and descriptions only. Do not cut and paste charts or tables here. Your responses will be consolidated electronically into an Implementation Plan summary report.

Overall Target Completion Date (no later than September 30, 2016) [9/01/2016](#)

Overall Target Completion Date (no later than September 30, 2016) [9/01/2016](#)

Overall Status - Describe the State/Territory's overall status toward complete implementation for this requirement(s) (not yet started, partially implemented, substantially implemented, other) [Other](#)

Overall Status - Describe the State/Territory's overall status toward complete implementation for this requirement(s) (not yet started, partially implemented, substantially implemented, other) [Other](#)

Implemented requirement(s) - Identify any requirement(s) implemented to date if applicable

Implemented requirement(s) - Identify any requirement(s) implemented to date if applicable

Unmet requirement - Identify the requirement(s) to be implemented [Use CCDF for activities to improve quality or availability of child care, including training and technical assistance to providers on identifying and serving homeless children and families](#)

Tasks/Activities - What specific steps will you take to implement the unmet requirement (e.g., legislative or rule changes, modify agreements with coordinating agencies, etc.)

- ***Develop and Approve Discussion Paper: 11/1/2015-12/23/2015***
- ***Work with Partners on Training/Technical Assistance (TA)
Content: 12/24/2015-4/14/15***
- ***Develop Training/TA: 4/15/2016- 8/31/2016***
- ***Implement Training/TA: 9/1/2016***

Projected start date for each activity: [11/1/2015](#)

Projected end date for each activity: [9/01/2016](#)

Agency - Who is responsible for complete implementation of this activity
[TWC](#)

Partners - Who is the responsible agency partnering with the State/Territory lead agency to complete implementation of this activity

[TWC, DFPS](#)

6.2 Supporting Training and Professional Development of the Child Care Workforce with CCDF Quality Funds

States and Territories may use the quality set-aside discussed in detail in section 7 to support the training and professional development of the child care workforce.

6.2.1 If checked yes to 7.1 in the next section, check which content is included training and professional development activities. Check all that apply.

Yes, If yes,

a) Describe the measures relevant to this use of funds that the State/Territory will use to evaluate the State/Territory's progress in improving the quality of child care programs and services in the State/Territory.

Through the annual fiscal year Quality Progress Report (QPR), TWC evaluates the following:

- ***Number of caregivers receiving a child care professional credential***
- ***Number of caregivers completing college early childhood education courses***
- ***Number and percentage increase in Texas Rising Star (TRS)-certified providers meeting TRS director education and caregiver qualifications***

b) Indicate which funds will be used for this activity (check all that apply)

CCDF funds.

Describe:

Annual quality set-aside funding to Local Workforce Development Boards (Boards).

Additionally, the Texas Workforce Commission (TWC) provided one-time funding in Fiscal Year 2014-2015 (FY'14-15) to develop online training through the Texas A&M AgriLife Extension Service (

[p://agrillifeextension.tamu.edu/solutions/child-care-training-courses/](http://agrillifeextension.tamu.edu/solutions/child-care-training-courses/)).

Other funds.

Describe:

c) Check which content is included in training and professional development activities. Check all that apply.

- Promoting the social, emotional, physical, and cognitive development of children, including those related to nutrition and physical activity, using scientifically-based, developmentally-appropriate and age-appropriate strategies as required in 6.1.1c.

Describe:

The training is available online through Texas A&A Agrilife at <http://extensiononline.tamu.edu/courses/courseListByCatID.php?category=27&pCatTitle=Child%20Care&subtitle=Child+Growth+and+Development>.

- Implementing behavior management strategies, including positive behavior interventions and support models that promote positive social-emotional development and early childhood mental health and reduce challenging behaviors, including reducing expulsions of preschool-aged children from birth to five for such behaviors (see also Section 2).

Describe:

The training is available online through Texas A&M Agrilife at <http://extensiononline.tamu.edu/courses/courseListByCatID.php?category=28&pCatTitle=Child%20Care&subtitle=Guidance+and+Discipline>.

- Engaging parents and families in culturally and linguistically appropriate ways to expand their knowledge, skills, and capacity to become meaningful partners in supporting their children's positive development.

Describe:

- Developmentally appropriate, culturally and linguistically responsive instruction and evidence-based curricula, and learning environments that are aligned with the State/Territory Early Learning and Development Standards.

Describe:

- On-site or accessible comprehensive services for children and community partnerships that promote families' access to services that support their children's learning and development.

Describe:

- Using data to guide program evaluation to ensure continuous improvement.

Describe:

- Caring for children of families in geographic areas with significant concentrations of poverty and unemployment.

Describe:

- Caring for and supporting the development of children with disabilities and developmental delays.

Describe:

The training is available online through Texas A&M Agrilife at <http://infanttoddler.tamu.edu/courses/ChildCareProviders.php>.

- Supporting positive development of school-age children.

Describe:

- Other.

Describe:

d) Check how the State/Territory connects child care providers with available Federal and State/Territory financial aid, or other resources for pursuing postsecondary education relevant for the early childhood and school-age workforce. Check all that apply.

- Coaches, mentors, consultants, or other specialists available to support access to postsecondary training including financial aid and academic counseling
- State/Territory-wide, coordinated, and easily accessible clearinghouse (i.e. online calendar or listing of opportunities) of relevant postsecondary education opportunities
- Financial awards (such as scholarships, grants, loans, reimbursement for expenses) from State/Territory for completion of postsecondary education
- Other.

Describe:

TRS mentors provide technical assistance, including supporting access to postsecondary training for providers working to become TRS-certified and to TRS-certified providers working to meet higher levels of TRS certification.

TWC provides funds to the Texas Agency for the Education of Young Children (TAEYC) for the T.E.A.C.H. program to offer financial assistance to child care providers and caregivers for the completion of Childhood Development Associate credential or to enroll in college credit courses in early childhood development.

No.

6.2.2 Does the State/Territory require a specific number of annual training hours for child care providers caring for children receiving CCDF subsidies and in particular content areas?

States and Territories are encouraged to consult with Caring for our Children for best practices and recommended time needed to address training hour requirements.

Yes. If yes, describe:

a) Licensed Center-Based Care

1) Number of pre-service or orientation hours and any required areas/content

Child care licensing requires 24 hours of preservice and annual training for child care workers/caregivers and 30 hours of annual training for directors of centers and operators of homes.

24 hours

Preservice training for caregivers must cover the following areas:

- ***Developmental stages of children;***
- ***Age-appropriate activities for children;***
- ***Positive guidance and discipline of children;***
- ***Fostering children's self-esteem;***
- ***Supervision and safety practices in the care of children;***
- ***Positive interaction with children; and***
- ***Preventing the spread of communicable diseases.***

If a caregiver provides care for children younger than 24 months of age, one hour of that caregiver's preservice training must cover the following topics:

- ***Recognizing and preventing shaken baby syndrome;***
- ***Preventing sudden infant death syndrome; and***
- ***Understanding early childhood brain development.***

2) Number of on-going hours and any required areas/content

24 hours

At least six clock hours of annual training must be in one or more of the following topics:

- **Child growth and development;**
- **Guidance and discipline;**
- **Age-appropriate curriculum; and**
- **Teacher-child interaction.**

At least one clock hour of annual training must focus on prevention, recognition, and reporting of child abuse and neglect, including the following:

- **Factors indicating a child is at risk of abuse or neglect;**
- **Warning signs indicating a child may be the victim of abuse or neglect;**
- **Internal procedures for reporting child abuse or neglect; and**
- **Community organizations that have training programs available to child care center staff members, children, and parents.**

The remaining clock hours of annual training must be in one or more of the following topics:

- **Care of children with special needs;**
- **Child health (e.g., nutrition and activity);**
- **Safety;**
- **Risk management;**
- **Identification and care of ill children;**
- **Cultural diversity for children and families;**
- **Professional development (e.g., effective communication with families and time and stress management);**
- **Preventing the spread of communicable diseases;**
- **Topics relevant to the particular age group the caregiver is assigned (e.g., caregivers assigned to an infant or toddler group should receive training on biting and toilet training);**
- **Planning developmentally appropriate learning activities;**
- **Observation and assessment;**
- **Attachment and responsive care giving; and**
- **Minimum standards and how they apply to the caregiver.**

If a caregiver provides care for children younger than 24 months of age, one hour of that caregiver's annual training must cover the following topics:

- **Recognizing and preventing shaken baby syndrome;**
- **Preventing sudden infant death syndrome; and**
- **Understanding early childhood brain development.**

b) Licensed Group Child Care Homes

1) Number of pre-service or orientation hours and any required areas/content
40 Texas Administrative Code (TAC) §§747.1301 and 747.1305 require caregivers to receive orientation on the following topics (no minimum hours required):

- **An overview of the minimum standards;**
- **The home's child care policies including discipline, guidance, and the release of children;**
- **An overview of symptoms of child abuse, neglect, and sexual abuse and responsibility for reporting evidence of them;**
- **The procedures to follow in handling emergencies; and**
- **The use and location of fire extinguishers and first-aid equipment**

2) Number of on-going hours and any required areas/content
24 hours

At least six clock hours of annual training must be in one or more of the following topics:

- **Child growth and development;**
- **Guidance and discipline;**
- **Age-appropriate curriculum; and**
- **Teacher-child interaction;**

The remaining clock hours of annual training must be in one or more of the following topics:

- **Care of children with special needs;**
- **Child health (e.g., nutrition and physical activity);**
- **Safety;**
- **Risk management;**
- **Identification and care of ill children;**
- **Cultural diversity for children and families;**
- **Professional development (e.g., effective communication with families and time and stress management);**
- **Preventing the spread of communicable diseases;**
- **Topics relevant to the particular ages of children in care (e.g., caregivers working with infants or toddlers should receive training on biting and toilet training);**
- **Planning developmentally appropriate learning activities;**
- **Observation and assessment;**
- **Attachment and responsive care giving; and**
- **Minimum standards and how they apply to the caregiver.**

If the home provides care for a child younger than 24 months, one hour of annual training must cover the following topics:

- **Recognizing and preventing shaken baby syndrome;**
- **Preventing sudden infant death syndrome; and**

Understanding early childhood brain development.

c) Licensed Family Child Care Provider

1) Number of pre-service or orientation hours and any required areas/content

40 TAC §§747.1301 and 747.1305 require caregivers to receive orientation on the following topics (no minimum hours required):

- ***An overview of the minimum standards;***
- ***The home's child care policies including discipline, guidance, and the release of children;***
- ***An overview of symptoms of child abuse, neglect, and sexual abuse and the responsibility for reporting evidence of them;***
- ***The procedures to follow in handling emergencies; and***
- ***The use and location of fire extinguishers and first-aid equipment.***

2) Number of on-going hours and any required areas/content

40 TAC §§747.1301-1314 require 30 hours of annual training for the primary caregiver and 15 hours for additional caregivers on certain topics, exclusive of orientation, certification in cardiopulmonary resuscitation (CPR) and first-aid, transportation safety, and training received through a high school work study program.

- ***Each caregiver counted in the child/caregiver ratio on more than ten separate occasions in one training year must obtain annual training relevant to the age of the children for whom the caregiver provides care.***
- ***At least six clock hours of annual training must be in one or more of the following topics:***
 - ***Child growth and development;***
 - ***Guidance and discipline;***
 - ***Age-appropriate curriculum; and***
 - ***Teacher-child interaction.***
- ***The remaining clock hours of annual training must be in one or more of the following topics:***
 - ***Care of children with special needs;***
 - ***Child health;***
 - ***Safety;***
 - ***Risk management;***
 - ***Identification and care of ill children;***
 - ***Cultural diversity of children and families;***
 - ***Professional development;***
 - ***Preventing the spread of communicable diseases;***
 - ***Topics relevant to the particular ages of children in care;***
 - ***Planning developmentally appropriate learning activities;***
 - ***Observation and assessment;***

- **Attachment and responsive care giving; and**
- **Minimum standards and how they apply to the caregiver.**

If the home provides care for a child younger than 24 months, one hour of annual training must cover the following topics:

- **Recognizing and preventing shaken baby syndrome;**
- **Preventing sudden infant death syndrome; and**
- **Understanding early childhood brain development.**
- **A caregiver who transports a child whose chronological or developmental age is younger than nine years old must receive two hours of transportation safety.**
- **A primary caregiver with five or fewer years of experience as a primary caregiver in a licensed or registered child care home must complete at least six of the 30 clock hours in management techniques, leadership, or staff supervision.**
- **A primary caregiver with more than five years of experience as a primary caregiver in a licensed or registered child care home must complete at least three of the 30 clock hours in management techniques, leadership, or staff supervision.**

40 TAC §747.1313 outlines the following requirements for first aid and CPR:

- **The primary caregiver and any substitute caregiver must have current training in first aid, with rescue breathing and choking.**
- **The primary caregiver and any substitute caregiver, and one assistant caregiver for each group of children in care away from the child care home, must have current training in CPR for infants, children, and adults.**

d) Any other eligible CCDF provider

1) Number of pre-service or orientation hours and any required areas/content

Relatives are the only other eligible CCDF providers in Texas. There are no pre-service or orientation hours required for relative care.

2) Number of on-going hours and any required areas/content



Relatives are the only other eligible CCDF providers in Texas. There are no ongoing training hours required for relative care.

No

6.2.3 Describe the status of the State/Territory's policies and practices to strengthen provider's business practices.

Fully implemented - as of March 1, 2016.

Describe the State strategies including training, education, and technical assistance to strengthen provider's business practices. This may include, but is not limited to, such practices related to fiscal management, budgeting, record-keeping, hiring, developing, and retaining qualified staff, risk management, community relationships, marketing and public relations, and parent-provider communications, including who delivers the training, education and/or technical assistance

The Texas Department of Family and Protective Services (DFPS) Child Care Licensing policy states that, "Knowledge of good business practices, administration, and child development is essential for managing a child care center. A director has an obligation to be prepared to hire and maintain employees, establish and maintain communication with parents, and ensure the health, safety, and well-being of the children in her care." (40 TAC §746.1015)

Child care center directors are required to have at least six hours of college credit in business management (40 TAC §746.1015).

Additionally, TRS certification standards include six additional annual training hours in program administration at the 3-Star and 4-Star levels.

Boards also provide training to child care directors in business management

Not implemented. The State/Territory must provide a State/Territory-specific implementation plan for achieving compliance with this requirement, including planned activities, necessary legislative or regulatory steps to complete, and target completion date (no later than September 30, 2016). Please provide brief text responses and descriptions only. Do not cut and paste charts or tables here. Your responses will be consolidated electronically into an Implementation Plan summary report.

Overall Target Completion Date (no later than September 30, 2016)

Overall Status - Describe the State/Territory's overall status toward complete implementation for this requirement(s) (not yet started, partially implemented, substantially implemented, other)

Implemented requirement(s) - Identify any requirement(s) implemented to date if applicable

Tasks/Activities - What specific steps will you take to implement the unmet

requirement (e.g., legislative or rule changes, modify agreements with coordinating agencies, etc.)

Projected start date for each activity:

Projected end date for each activity:

Agency - Who is responsible for complete implementation of this activity

Partners - Who is the responsible agency partnering with the State/Territory lead agency to complete implementation of this activity

6.3 Early Learning and Developmental Guidelines

The CCDBG Act of 2014 added a requirement that the State/Territory will develop, maintain, or implement early learning and developmental guidelines that are appropriate for children in a forward progression from birth to kindergarten entry (i.e., birth-to-three, three-to-five, or birth-to-five), describing what such children should know and be able to do, and covering the essential domains of early childhood development for use State/Territory wide by child care providers. (658E(c)(2)(T)) At the option of the State/Territory, early learning and development guidelines for out-of-school time may be developed. States and Territories may use the quality set-aside as discussed in section 7 to improve on the development or implementation of early learning and development guidelines.

6.3.1 Describe the status of the State's early learning and development guidelines appropriate for children from birth to kindergarten entry.

- The State assures that the early learning and development guidelines are:
 - Research-based, developmentally appropriate, culturally and linguistically appropriate, and aligned with entry to kindergarten
 - Implemented in consultation with the State educational agency and the State Advisory Council (SAC) or other state or state-designated cross-agency body if there is no SAC
 - Updated as determined by the State. List the date or frequency

- Fully implemented and meeting all Federal requirements outlined above - as of March 1, 2016. List the Lead Agency's policy citation(s) and describe using 6.3.2 through 6.3.4 below

- Not implemented. The State/Territory must provide a State/Territory-specific implementation plan for achieving compliance with this requirement, including planned

activities, necessary legislative or regulatory steps to complete, and target completion date (no later than September 30, 2016). Please provide brief text responses and descriptions only. Do not cut and paste charts or tables here. Your responses will be consolidated electronically into an Implementation Plan summary report.

Overall Target Completion Date (no later than September 30, 2016)

Overall Status - Describe the State/Territory's overall status toward complete implementation for this requirement(s) (not yet started, partially implemented, substantially implemented, other)

Implemented requirement(s) - Identify any requirement(s) implemented to date if applicable

Tasks/Activities - What specific steps will you take to implement the unmet requirement (e.g., legislative or rule changes, modify agreements with coordinating agencies, etc.)

Projected start date for each activity:

Projected end date for each activity:

Agency - Who is responsible for complete implementation of this activity

Partners - Who is the responsible agency partnering with to complete implement this activity

6.3.2 Check for which age group(s) the State has established early learning and development guidelines:

Birth-to-three

Provide a link:

Little Texans-Big Futures - <http://littletexans.org/>

Three-to-Five

Provide a link:

***Texas Prekindergarten Guidelines--
<http://tea.texas.gov/index2.aspx?id=2147495508>***

Birth-to-Five

Provide a link:

Five and older (check if State/Territory has standards for five and older that complement academic but cover child development areas not covered by k-12 academic standards).

Describe and provide a link:

Other.

Describe:

6.3.3 Does the State/Territory use CCDF quality funds to improve on the development or implementation of early learning and development guidelines by providing technical assistance to child care providers to enhance children's cognitive, physical, social and emotional development and support children's overall well-being?

Yes, the State/Territory has a system of technical assistance operating State/Territory-wide

Yes, the State/Territory has a system of technical assistance operating as a pilot or in a few localities

No, but the State/Territory is in the development phase

No, the State/Territory has no plans for development

a) If yes, check all that apply to the technical assistance and describe.

Child care providers are supported in developing and implementing curriculum/learning activities based on the State's/Territory's early learning and development guidelines.

Describe:

In collaboration with the Texas Early Learning Council, stakeholders from the state developed the Texas Infant, Toddler, and Three-Year-Old Early Learning Guidelines, which outline expectations about what children should know and be able to do across domains of learning during specific age ranges, and also outline steps for caregivers to support healthy development. There is training that correlates to the guidelines.

The Children's Learning Institute (CLI) hosts a number of online trainings that support developing and implementing curriculum/learning activities based on the Texas Infant, Toddler, and Three-Year-Old Early Learning Guidelines (also known as Little Texas-Big Futures).

Trainings include, but are not limited to, the following:

The Beginning Education: Early Childcare at Home (BEECH) program at <https://www.childrenslearninginstitute.org/programs/beginning-education-early-childcare-at-home/> is a web-based professional development system specifically designed for home child care providers.

CIRCLE CDA Training at <https://www.childrenslearninginstitute.org/programs/circle-cda-training-program/> is a program to help early childhood teachers in Texas obtain the training hours they need to apply for the Child Development Associate (CDA) credential for center-based programs.

Developing Talkers and Hablemos Juntos are curriculum supplements to promote oral language. Listening comprehension and vocabulary skills are targeted through lessons, materials, and instructions on developing and strengthening children's oral language skills.

eCIRCLE Professional Development provides online courses featuring extensive video-based demonstrations of effective instructional practices, application-based assignments, and activities. The program is designed specifically for teachers, school leaders, and intervention specialists.

The Texas Early Childhood Professional Development System (TECPDS) is a statewide program designed to meet the professional development needs of those working in the early childhood field. The TECPDS website offers several tools and resources to help early childhood professionals.

Texas School Ready! (TSR!) is a comprehensive preschool teacher training

program combining a research-based, state-adopted curriculum with ongoing professional development and progress monitoring tools. The goal of this program is to help children be better prepared for school.

- The technical assistance is linked to the State's/Territory's quality rating and improvement system.

Describe:

Texas Rising Star (TRS) curriculum guidelines and caregiver interaction measures are linked to the Early Learning Guidelines. Local Workforce Development Board (Board) mentors provide technical assistance and guidance to providers on the TRS measures as related to the Early Learning Guidelines.

- Child care providers working with infants and/or toddlers have access to the technical assistance for implementing early learning and development guidelines.

Describe:

The Texas A&M AgriLife Extension Service of the Texas A&M University System, in cooperation with the Texas Department of Family and Protective Services Child Care Licensing Division developed training courses specific to caregivers of infants and toddlers. The courses cover a variety of child care topics to include social emotional development, challenging behaviors, inclusive child care, and relationships with families. The classes are one to two hours in length, available online, and free.

- Child care providers working with preschool-age children have access to the technical assistance for implementing early learning and development guidelines.

Describe:

Texas Prekindergarten Guidelines Web-based Training
This web-based professional development tool from an outside source orients and introduces educators to the Texas Prekindergarten Guidelines. The training includes video examples of child behaviors in five domains (social and emotional development, language and communication, emergent literacy in reading, writing, and math), and provides instructional strategies

teachers can use to support students. Also included are examples of integrated instruction with video examples of classroom interactions in which several outcomes from the guidelines are combined.

TSR! is a comprehensive preschool teacher training program combining a research-based, state-adopted curriculum with ongoing professional development and progress monitoring tools. The goal of this program is to help children be better prepared for school.

The Children's Learning Institute (CLI) Engage is a comprehensive professional development and child progress monitoring platform. The system houses professional development, child progress monitoring tools, and classroom observation tools. A partnership between TWC, CLI and the Texas Education Agency makes TSR! Online tools and resources available free to all prekindergarten teachers in Texas public schools, Texas Rising Star providers, and Head Start programs through the CLI Engage platform.

- Child care providers working with school-age children have access to the technical assistance for implementing early learning and development guidelines.

Describe:

N/A

b) Indicate which funds are used for this activity (check all that apply)

- CCDF funds.

Describe CCDF funds (e.g., quality set-aside, infant-toddler set aside, etc.)

A combination of CCDF quality set-aside and infant-toddler set-aside funds have been allocated for training development and the implementation/application of training through mentoring .

- Other funds.

Describe other funding sources (e.g., Race to the Top Early Learning Challenge, state or local funds, etc.)

6.3.4 Check here to demonstrate that State/Territory assures that CCDF funds will not be used to develop or implement an assessment for children that: (658E(c)(2)(T)(ii)(I))

- Will be the primary or sole basis to determine a child care provider ineligible to participate in the CCDF program
- Will be used as the primary or sole basis to provide a reward or sanction for an individual provider
- Will be used to deny children eligibility to participate in the CCDF program
- Will be used as the primary or sole method for assessing effectiveness of child care programs
- Will be used to deny children eligibility to participate in the CCDF program

Yes.

7 Support Continuous Quality Improvement

Lead Agencies are required to reserve and use a portion of their Child Care and Development Block Grant funds for activities designed to improve the quality of child care services and increase parental options for, and access to, high-quality child care. Support for continuous quality improvement is expected to cover the entire age span of children supported by CCDF, from birth through age 12. States/Territories may provide these quality improvement activities directly, or through grants or contracts with local child care resource and referral organizations or other appropriate entities. The activities should be in alignment with a State/Territory-wide assessment of the State's/Territory's needs to carry out such services and care. These quality investments can align with, support and help sustain additional quality efforts developed under Race to the Top Early Learning Challenge grants, Early Head Start/Head Start partnerships and other funding efforts.

States and Territories will report on these quality improvement investments through CCDF in three ways: 1) ACF will collect annual data on how much CCDF funding is spent on quality activities using the expenditure report (ACF-696); 2) In the Plan, States and Territories will describe the types of activities supported by quality investments over the three-year period; and 3) For each three-year Plan period, States and Territories will submit a separate annual report that will show the measures used by the State/Territory to evaluate its progress in improving the quality of child care programs and services in the State/Territory.

The CCDBG Act of 2014 requires States and Territories to use the quality set-aside to fund at least one of the following 10 activities:

- 1) Supporting the training and professional development of the child care workforce (as described in Section 6)
- 2) Improving on the development or implementation of early learning and development guidelines (as described in Section 6)
- 3) Developing, implementing, or enhancing a tiered quality rating system for child care providers and services
- 4) Improving the supply and quality of child care programs and services for infants and toddlers
- 5) Establishing or expanding a Statewide system of child care resource and referral services (as described Section 1)
- 6) Supporting compliance with State/Territory requirements for licensing, inspection, monitoring, training, and health and safety (as described in Section 5)
- 7) Evaluating the quality of child care programs in the State/Territory, including evaluating how programs positively impact children
- 8) Supporting providers in the voluntary pursuit of accreditation
- 9) Supporting the development or adoption of high-quality program standards related to health, mental health, nutrition, physical activity, and physical development
- 10) Other activities to improve the quality of child care services as long as outcome measures relating to improved provider preparedness, child safety, child well-being, or kindergarten-entry are possible.

Throughout this Plan, States and Territories will describe the types of quality improvement activities where CCDF investments are being made, including but not limited to, the quality set-aside funds. We recognize that for some areas, States and Territories may leverage other funds to support the quality improvement goals, which we encourage and support. For example, activities related to early learning and development guidelines may be supported by a combination of CCDF and education funding. States and Territories continue to have such flexibility.

7.1 Activities to Improve the Quality of Child Care Services

7.1.1 What are your overarching goals for quality improvement?

Please describe how the State/Territory selected these goals, including any data or the State/Territory-wide assessment of needs that identified the needs for quality improvement services

Goals for Child Care Quality Improvement

- **Improve the quality of child care services to children by assisting child care providers in achieving higher quality standards, including Texas Rising Star (TRS) certification and national accreditation.**
- **Increase access to quality child care for families by increasing the number of TRS-certified and nationally accredited facilities.**
- **Improve child caregiver quality by increasing early childhood education professional development opportunities for child care and prekindergarten teachers.**

TWC selected these goals based on recent initiatives and direction provided by the Texas legislature.

The 83rd Texas Legislature, Regular Session (2013), enacted House Bill (HB) 376, which included provisions to:

- **strengthen the TRS program standards;**
- **provide funding for technical assistance mentoring services to child care providers working to achieve TRS standards and move toward higher TRS certification levels; and**
- **establish financial incentives for providers to meet the TRS program standards.**

7.1 Check and describe which of the following specified quality improvement activities the State/Territory is investing in:

Developing, implementing or enhancing a tiered quality rating system. If checked, respond to 7.2. Indicate which funds will be used for this activity (check all that apply)

CCDF funds.

Describe CCDF funds (e.g., quality set-aside, infant-toddler set aside, etc.)

Quality set-aside and infant-toddler set aside

Other funds.

Describe other funding sources (e.g., Race to the Top Early Learning Challenge, state or local funds, etc.)

- Improving the supply and quality of child care services for infants and toddlers. If checked, respond to 7.3. Indicate which funds will be used for this activity (check all that apply)

- CCDF funds.

Describe CCDF funds (e.g., quality set-aside, infant-toddler set aside, etc.)

Infant-toddler set aside

- Other funds.

Describe other funding sources (e.g., Race to the Top Early Learning Challenge, state or local funds, etc.)

- Establishing or expanding a statewide system of CCR&R services as discussed in 1.7. If checked, respond to 7.4. Indicate which funds will be used for this activity (check all that apply)

- CCDF funds.

Describe CCDF funds (e.g., quality set-aside, infant-toddler set aside, etc.)

- Other funds.

Describe other funding sources (e.g., Race to the Top Early Learning Challenge, state or local funds, etc.)

- Facilitating compliance with State/Territory requirements for inspection, monitoring, training, and health and safety standards (as described in Section 5). If checked, respond to 7.5. Indicate which funds will be used for this activity (check all that apply)

- CCDF funds.

Describe CCDF funds (e.g., quality set-aside, infant-toddler set aside, etc.)

Quality set-aside and infant-toddler set aside

- Other funds.

Describe other funding sources (e.g., Race to the Top Early Learning Challenge, state or local funds, etc.)

- Evaluating and assessing the quality and effectiveness of child care services within the State/Territory. If checked, respond to 7.6. Indicate which funds will be used for this activity (check all that apply)
- CCDF funds.
Describe CCDF funds (e.g., quality set-aside, infant-toddler set aside, etc.)
Quality set-aside
- Other funds.
Describe other funding sources (e.g., Race to the Top Early Learning Challenge, state or local funds, etc.)
- Supporting accreditation. If checked, respond to 7.7. Indicate which funds will be used for this activity (check all that apply)
- CCDF funds.
Describe CCDF funds (e.g., quality set-aside, infant-toddler set aside, etc.)
Quality set-aside
- Other funds.
Describe other funding sources (e.g., Race to the Top Early Learning Challenge, state or local funds, etc.)
- Supporting State/Territory or local efforts to develop high-quality program standards relating to health, mental health, nutrition, physical activity, and physical development. If checked, respond to 7.8. Indicate which funds will be used for this activity (check all that apply)
- CCDF funds.
Describe CCDF funds (e.g., quality set-aside, infant-toddler set aside, etc.)
Quality set-aside and infant-toddler set aside
- Other funds.
Describe other funding sources (e.g., Race to the Top Early Learning Challenge, state or local funds, etc.)
- Other activities determined by the State/Territory to improve the quality of child care services, and for which measurement of outcomes related to improved provider preparedness, child safety, child well-being, or entry into kindergarten is possible. If checked, respond to 7.9. Indicate which funds will be used for this activity (check all that apply)

CCDF funds.

Describe CCDF funds (e.g., quality set-aside, infant-toddler set aside, etc.)

Quality set-aside

Other funds.

Describe other funding sources (e.g., Race to the Top Early Learning Challenge, state or local funds, etc.)

7.2 Quality Rating and Improvement System

7.2.1 Does your State/Territory have a quality rating and improvement system (QRIS)?

Yes, the State/Territory has a QRIS operating State/Territory-wide.

Describe how the QRIS is administered (e.g., state or locally administered such as through CCR&Rs) and provide a link, if available

The Texas Rising Star (TRS) program is the QRIS for the state of Texas. TRS is a voluntary, quality-based child care rating system of child care providers participating in the Texas Workforce Commission's (TWC) subsidized child care program. TRS certification is available to licensed center and licensed and registered home child care providers who meet the certification criteria. The TRS certification system offers three levels of certification-2-Star, 3-Star, and 4-Star-to encourage providers to attain progressively higher certification requirements leading to a 4-Star level.

TWC establishes the rules and guidelines for the TRS program and provides funding to Local Workforce Development Boards (Boards) to administer the program and to hire TRS mentors and assessors. TRS mentors provide technical assistance and mentoring services to child care providers that want to become TRS certified or achieve a higher TRS rating.

Texas Government Code §2308.315 mandates that the minimum reimbursement rate for a TRS provider must be greater than the maximum rate established for a provider that is not TRS certified for the same category of care, i.e., at least:

- 5 percent higher for a provider with a 2-Star rating;***
- 7 percent higher for a provider with a 3-Star rating; and***
- 9 percent higher for a provider with a 4-Star rating.***

Boards may establish a higher enhanced reimbursement rate for TRS providers than those provided above, as long as a minimum 2 percent difference between each star level is maintained.

Additional information regarding TRS can be found at www.texasrisingstar.org.

- Yes, the State/Territory has a QRIS operating as a pilot, in a few localities, or only a few levels

Provide a link, if available

- No, but the State/Territory is in the development phase

- No, the State/Territory has no plans for development

a) If yes, check all that apply to your QRIS.

- Participation is voluntary
- Participation is mandatory for providers serving children receiving subsidy.

If checked, describe the relationship between QRIS participation and subsidy (minimum rating required, participation at any level, etc.)

- Participation is required for all providers
- Includes nationally-recognized accreditation as a way to meet/achieve QRIS rating levels
- Supports and assesses the quality of child care providers in the State/Territory
- Builds on State/Territory licensing standards and other State/Territory regulatory standards for such providers
- Embeds licensing into the QRIS.

Describe:

[Includes nationally-recognized accreditation as a way to meet/achieve QRIS rating levels](#)

[The following national accreditations receive initial 4-star TRS certification:](#)

- ***National Association for the Education of Young Children***
- ***National Association for Family Child Care***
- ***National Early Childhood Program Accreditation***
- ***National Accreditation Commission***
- ***Council on Accreditation***
- ***Association of Christian Schools International***
- ***AdvancED Quality Early Learning Schools***

Embeds licensing into the QRIS

TRS certification is built upon minimum licensing standards. In order to be eligible for TRS certification, a provider must not be on corrective or adverse action with the Department of Family and Protective Services (DFPS) Child Care Licensing. Also, a provider is not eligible to apply for TRS certification if, during the most recent 12-month licensing history, the provider had any of the following:

- **Any critical licensing deficiency;**
 - **Five or more high or medium-high licensing deficiency; or**
 - **10 or more total licensing deficiencies of any type.**
- Additionally, TRS-certified providers that have been cited by DFPS for any of the above deficiencies may lose a star level or may lose TRS certification.**



Designed to improve the quality of different types of child care providers and services



Describes the safety of child care facilities



Addresses the business practices of programs

Builds the capacity of State/Territory early childhood programs and communities to promote parents' and families' understanding of the State/Territory's early childhood system and the ratings of the programs in which



the child is enrolled

Provides, to the maximum extent practicable, financial incentives and other supports designed to expand the full diversity of child care options and help child care providers improve the quality of services.

If checked, please describe how these financial options link to responses in Section 4.3 related to higher payment rates tied to quality

Texas Government Code §2308.315 requires that Boards reimburse TRS-certified providers an increased rate above the rate reimbursed to non-TRS providers. The percentage of the increase must be at least:

- **5% for a 2-Star Program Provider;**
- **7% for a 3-Star Program Provider; and**
- **9% for a 4-Star Program Provider.**

Boards may reimburse at a higher rate than those listed above as long as there is a 2 percentage point difference between the star ratings.



Can be used to track trends in whether children receiving subsidy are utilizing rated care settings and level of rating

b) If yes, which types of settings or distinctive approaches to early childhood education and care participate in the State's/Territory's QRIS? Check all that apply.

- Licensed child care centers
- Licensed family child care homes
- License-exempt providers
- Early Head Start programs
- Head Start programs
- State pre-kindergarten or preschool program
- Local district supported pre-kindergarten programs
- Programs serving infants and toddlers
- Programs serving school-age children
- Faith-based settings
- Other.

Describe:

N/A

7.2.2 Describe the measures relevant to this activity that the State/Territory will use to evaluate the State/Territory's progress in improving the quality of child care programs and services in the State/Territory.

Describe:

TWC tracks the number and percent of:

- ***subsidized providers participating in TRS;***
- ***subsidized children in TRS-certified provider care; and***
- ***total child care capacity among TRS-certified providers.***

7.3 Improving the Supply and Quality of Child Care Programs and Services for Infants and Toddlers

The CCDBG Act of 2014 included changes targeted at improving the supply and quality of infant-toddler care. Lead Agencies are encouraged to systematically assess and improve the overall quality of care infants and toddlers receive, the systems in place or needed to support and enhance the quality of infant and toddler providers and the capacity of the infant and toddler workforce to meet the unique needs of very young children, and the methods in place to

increase the proportion of infants and toddlers in higher quality care.

7.3.1 What activities are being implemented by the State/Territory to improve the supply (see also section 4) and quality of child care programs and services for infants and toddlers?

Check all that apply and describe.

- Establishing or expanding high-quality community or neighborhood-based family and child development centers, which may serve as resources to child care providers in order to improve the quality of early childhood services provided to infants and toddlers from low-income families and to help eligible child care providers improve their capacity to offer high-quality, age-appropriate care to infants and toddlers from low-income families.

Describe:

- Establishing or expanding the operation of community or neighborhood-based family child care networks.

Describe:

- Providing training and professional development to promote and expand child care providers' ability to provide developmentally appropriate services for infants and toddlers.

Describe:

The Texas Workforce Commission (TWC) provides funding for Texas A&M AgriLife's infant and toddler online courses. Training topics include child development, developing developmentally appropriate learning environments, and social and emotional development.

TWC provides CCDF dedicated funding to all Local Workforce Development Boards (Boards) for the expansion of infant/toddler care capacity. Funds can be used for professional development activities designed to expand infant/toddler care capacity.

- Providing financial incentives (including the use of grants and contracts as discussed in section 4) to increase the supply and quality of infant-toddler care.

Describe:

TWC provides CCDF dedicated funding to all Boards for the expansion of infant/toddler care capacity. Boards may use the funds to assist new or existing child care facilities-center or home-based-in expanding infant/toddler care capacity.

Funds can be used for the purchase of equipment including, but not limited to, cribs, changing stations, classroom materials and equipment, and other materials to facilitate such expansions.

- Providing coaching and/or technical assistance on this age group's unique needs from Statewide networks of qualified infant-toddler specialists.

Describe:

- Coordinating with early intervention specialists who provide services for infants and toddlers with disabilities under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.)

Describe:

- Developing infant and toddler components within the State's/Territory's QRIS.

Describe:

Texas Rising Star (TRS) measures include specific infant and toddler requirements in the following categories:

- ***Lesson plans and curriculum - Measures address health and well-being, physical activity and motor development, social and emotional development, language and communication development, and cognitive development;***
- ***Nutrition - Measure focuses on breastfeeding education and feeding practices;***
- ***Indoor Learning Environment - Measures address quantity of sleep, diapering and feeding environment, sufficient space to allow for different kinds of experiences (tummy play, active play), and that diapering areas include items that enhance cognitive and communication skills; and***
- ***Outdoor Learning Environment - Measure focuses on outdoor equipment/materials encouraging infants to experience the environment through all five senses.***

- Developing infant and toddler components within the State's/Territory's child care licensing regulations.

Describe:

- Developing infant and toddler components within the early learning and development guidelines.

Describe:

Texas' early learning guidelines include specific infant and toddler guidelines called Little Texans--Big Futures (see 2.2.6).

- Improving the ability of parents to access transparent and easy to understand consumer information about high-quality infant and toddler care.

Describe:

The infant and toddler guidelines (Little Texans-Big Futures) , as well as information about quality infant-toddler care, are available at www.texaschildcaresolutions.org.

- Carrying out other activities determined by the State/Territory to improve the quality of infant and toddler care provided in the State/Territory, and for which there is evidence that the activities will lead to improved infant and toddler health and safety, infant and toddler cognitive and physical development, or infant and toddler well-being.

Describe:

- Other.

Describe:

7.3.2 Describe the measures relevant to this activity that the State/Territory will use to evaluate the State's progress in improving the quality of child care programs and services in the State/Territory

Describe:

TWC will evaluate the number of caregivers trained on the infant and toddler guidelines, and the number of providers meeting TRS standards for infant and toddler guidelines.

7.4 Child Care Resource & Referral

7.4.1 Describe the status of the child care resource and referral system

State/Territory has a CCR&R system operating State/Territory-wide.

Describe how the CCR&R system is operated, including how many agencies and if there is a statewide network and how the system is coordinated and if it is voluntary

State/Territory has a CCR&R system operating in a few localities but not fully operating State/Territory-wide

Describe:

The Texas Association of Child Care Resource and Referral Agencies (CCR&Rs) is a statewide network of six child care resource and referral agencies. CCR&Rs operate in the following areas:

- ***Houston (Collaborative for Children)***
- ***Fort Worth (Camp Fire USA First Texas Council)***
- ***Dallas (Child Care Group)***
- ***Lubbock (Children's Connection)***
- ***El Paso (YWCA El Paso del Norte)***
- ***San Antonio (Family Services Association)***

The Texas Workforce Commission (TWC) does not provide funding directly to any of the CCR&Rs. However, several Local Workforce Development Boards contract with CCR&Rs in their local workforce development areas to provide a variety of child care services, including providing consumer education information, managing quality improvement services, and determining child care eligibility.

State/Territory is in the development phase

7.4.2 Describe the measures relevant to this activity that the State/Territory will use to evaluate the State/Territory's progress in improving the quality of child care programs and services in the State/Territory

Describe:

TWC does not provide funding directly to any of these CCR&Rs. Therefore, TWC does not have measures for this activity.

7.5 Facilitating Compliance with State Standards

7.5.1 What strategies does your State/Territory fund with CCDF quality funds to facilitate child care providers' compliance with State/Territory requirements for inspection, monitoring, training, and health and safety, and with State/Territory licensing standards?

Describe:

CCDF is appropriated to the Texas Department of Family and Protective Services (DFPS) for licensing and monitoring of child care facilities, as well as for health and safety training for child care facilities.

7.5.2 Describe the measures relevant to this activity that the State will use to evaluate the State/Territory's progress in improving the quality of child care programs and services in the State/Territory

Describe:

DFPS Child Care Licensing uses the following measures to evaluate progress in facilitating child care provider compliance with state standards:

- *Number of Application, Monitoring, Follow-Up, and Investigation inspections*
- *Number of Voluntary Plan of Actions put into effect*
- *Number of Corrective Actions put into effect*
- *Illegal Operations Identified and investigations resolved*
- *Technical Assistance offered by minimum standard*
- *Technical Assistance, including targeted technical assistance, mentoring, and orientation sessions (pre-application interview)*

7.6 Evaluating and Assessing the Quality and Effectiveness of Child Care Programs and Services

7.6.1 One of the purposes of the CCDBG Act of 2014 is to increase the number and percentage of low-income children in high-quality child care settings.

Describe how the State/Territory measures the quality and effectiveness of child care programs and services offered in the State/Territory, including any tools used to measure child, family, teacher, classroom, or provider improvements, and how the State/Territory evaluates that such programs positively impact children

Measures of Quality:

Texas Workforce Commission's (TWC) Child Care Services rules require that the Texas Rising Star (TRS) guidelines be reviewed and updated at a minimum every four years. As part of this review, TWC analyzes TRS facility and classroom assessments and monitoring data in order to evaluate the TRS measures in order to assess:

- TRS assessor inter-rater reliability;***
- Measures with high or low compliance rate;***
- If feasible, other data points that may indicate a correlation between TRS measures and other outcomes such as caregiver turn-over, child continuity of care, and parent employment outcomes.***

Effectiveness of Child Care Program

Texas law (Section 302.0043 of the Labor Code) requires TWC to evaluate the effectiveness of the child care program in helping parents who receive subsidized child care to maintain employment. TWC is required to submit a report to the legislature each odd-numbered year:

- The employment outcome information, disaggregated by local workforce development area, for parents with children receiving subsidized care; and***
- Identify five-year trends in the information collected and analyzed.***

TWC uses Unemployment Insurance (UI) employment and wage data to analyze employment and wage trends of parents with children receiving subsidized child care.

7.6.2 Describe the measures relevant to this activity that the State/Territory will use to evaluate the State/Territory's progress in improving the quality of child care programs and services in the State/Territory

Describe:

The effectiveness report includes:

- The number and percent of TANF parents with children receiving subsidized care who:***
 - Find employment; and***

- *Maintains employment after one year.*
- *The number and percent of non-TANF parents with child receiving subsidized care who:*
 - *Maintains the parent's employment; and*
 - *Experiences a change in the parent's earning after one year of employment; and*
- *If the parent leaves the child care program:*
 - *The parent's reason for leaving the program; and*
 - *Whether the parent returns to TANF or become a TANF recipient for the first time.*

7.7 Accreditation Support

7.7.1 Does the State/Territory support child care providers in the voluntary pursuit of accreditation by a national accrediting body with demonstrated, valid, and reliable program standards of high quality?



Yes, the State/Territory has supports operating State/Territory-wide.

Describe the supports for all types of accreditation the State/Territory provides to child care centers and family child care homes to achieve accreditation



Yes, the State/Territory has supports operating as a pilot or in a few localities

Describe:

The Texas Workforce Commission (TWC) provides funding to eight Local Workforce Development Boards (Boards) to assist child care facilities in military communities in achieving national accreditation. Communities with strong quality child care infrastructure may be better prepared to address the challenges of a potential military realignment or closure.



No, but the State/Territory is in the development phase

No, the State/Territory has no plans for development

7.7.2 Describe the measures relevant to this activity that the State/Territory will use to evaluate the State/Territory's progress in improving the quality of child care programs and services in the State/Territory

Describe:

Number of providers in military communities achieving any of the above national accreditations.

7.8 Program Standards

7.8.1 What other State/Territory or local efforts, if any, is the State/Territory supporting to develop or adopt high-quality program standards relating to health, mental health, nutrition, physical activity, and physical development?

Please describe:

The Texas School Ready! (TSR!) project provides training and mentoring designed to prepare children for kindergarten and school to teachers in child care, Head Start, and prekindergarten settings serving preschool children. The TSR! project is administered through the University of Texas Health Science Center's Children's Learning Institute (CLI).

7.8.2 Describe the measures relevant to this activity that the State/Territory will use to evaluate the State/Territory's progress in improving the quality of child care programs and services in the State/Territory

Describe:

In the fall of 2017, CLI will host the Texas Kindergarten Entry Assessment (TX-KEA). A partnership between CLI and the Texas Education Agency, TX-KEA is currently in development, and will be freely to all Texas school districts and charter schools and will be an optional tool for schools to use to screen children's school readiness upon their entry into kindergarten. TX-KEA will be an point-in-time snapshot of each student's competencies and will inform instruction and identify whether additional instruction or diagnostic assessment is needed.

7.9 Other Quality Improvement Activities

7.9.1 List and describe any other activities the State/Territory provides to improve the quality of child care services and describe the measures relevant to this activity that the State/Territory will use to evaluate the State/Territory's progress in improving provider preparedness, child safety, child well-being, or entry into kindergarten.

The Texas Workforce Commission (TWC) is partnering with the Texas Association for the Education of Young Children (TAEYC) (in collaboration with Teaching Strategies) and Kaplan Early Learning Company to conduct an Early Childhood Assessment Pilot Project (Pilot) throughout the state. At no cost to providers, the partners are providing developmentally appropriate tools that enable early childhood caregivers to assess the development and learning of children ages birth to five years, and the Pilot trains caregivers on the assessment tools, data gathering, and reporting. The Pilot is also helping caregivers use assessment data to offer care and instruction that are individualized according to each child's strengths and needs. Additionally, each partner in the Pilot will evaluate the outcomes of its part in the project. By funding the Pilot and partnering with both TAEYC/Teaching Strategies and Kaplan Early Learning Company, TWC is enabling providers to choose the tool that best fits the needs of their individual programs.

Relevant measures include the following:

- Number of child care providers participating in the Pilot;*
- Number of caregivers trained on the instructional and assessment tools; and*
- Appropriate gains in child development measures.*

8 Ensure Grantee Program Integrity and Accountability

Under CCDF, program integrity and accountability activities are grounded in the State/Territory's policies for implementing the CCDF program. For error rate activities, reviews are based on the State/Territory's own CCDF policies. The CCDBG Act of 2014 made sweeping changes to the program requirements. With these changes, the State/Territory has an

opportunity to change their own policies to reduce the burden for participants and staff as they build in safeguards to maintain program integrity. For example, the new law focuses on eligibility requirements at the time of eligibility determination and allows for a minimum 12-month period of eligibility before redetermination, which lessens the need for participants to continually provide documentation. This, in turn, relieves the State/Territory from the burden of constantly "checking" on participants which can open the door for miscalculations, lost paperwork, and other errors.

Lead Agencies are required to have accountability measures in place to ensure integrity and to identify fraud or other program violations. These accountability measures should address administrative error, including unintentional agency error, as well as program violations, both unintentional and intentional. Violations may or may not result in further action by the Lead Agency, including those cases suspected of and/or prosecuted for fraud.

8.1 Program Integrity

8.1.1 Describe how the State ensures that their definitions for violations have been modified, staff trained, and program integrity procedures revised to reflect new requirements.

Describe:

As mentioned in Section 3.3, the Texas Workforce Commission's (TWC) implementation plan regarding 12-month eligibility, with the option to end care during the 12 months for a permanent cessation of activities, involves soliciting stakeholder and Local Workforce Development Board (Board) input to determine the most appropriate policy for effective implementation. This input will also involve TWC's Regulatory Integrity Division to ensure an effective balance between program integrity and continuity of care for children and families. Any required definitional changes for program violations will be integrated into the overall policy for determining and redetermining eligibility for families.

8.1.2 Describe how the State/Territory ensures that all staff are informed and trained regarding changes made to its policies and procedures to reflect new CCDF requirements.

Check all that apply.

- Issue policy change notices
- Issue new policy manual
- Staff training
 - Orientations
 - Onsite training
 - Online training
- Regular check-ins to monitor implementation of the new policies.

Describe:

TWC Subrecipient Monitoring, Boards, and Board contractors conduct regular monitoring of staff to ensure compliance with child care policies and procedures.

- Other.

Describe:

8.1.3 Describe the processes the Lead Agency will use to monitor all sub-recipients, including those described in Section 1, such as licensing agencies, child care resource and referral agencies, and others with a role in administering CCDF.

The Lead Agency is responsible for ensuring effective internal controls over the administration of CCDF funds. Lead Agencies that use other governmental or non-governmental sub-recipients to administer the program must have written agreements in place outlining roles and responsibilities for meeting CCDF requirements.

Definition: "Subrecipient means a non-Federal entity that receives a subaward from a pass-through entity to carry out part of a Federal program; but does not include an individual that is a beneficiary of such program. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency (2 CFR 200.93). Two CFR Part 200, Subpart A provides additional information on contractors (which may be referred to as "vendors"). The description of monitoring must include, but is not limited to, a description of the written agreements used, a schedule for completing the tasks, a budget which itemizes categorical expenditures consistent with CCDF requirements and indicators or measures to assess performance. Additional items for discussion may include: fiscal management, review of policies and procedures to ensure compliance with CCDF regulations, and monitoring/auditing contractors or grantees to ensure that eligible children are served and eligibility documentation is verified."

Describe:

State law (Texas Labor Code, Chapter 302) requires that TWC delegate the administration of workforce services, including child care services, to Boards. As a result, TWC contracts with each of the state's 28 Boards to administer CCDF-funded child care services.

State law prohibits Boards from directly delivering services. Therefore, Boards competitively procure child care contractors to:

- determine eligibility for CCDF services;*
- provide information to assist parents in making informed choices related to their children's care;*
- authorize child care subsidies with the provider each parent chooses; and*
- implement services to improve the quality and availability of child care.*

However, TWC maintains overall control of CCDF services by:

- allocating child care funds to the Boards;*
- establishing rules and policies for child care services;*
- establishing performance targets for the Boards; and*
- providing oversight and monitoring services.*

TWC's Finance department oversees the allocation of CCDF funds to Boards. The Finance department determines the allocation amount for each local workforce development area (workforce area) and provides an automated cash draw system to allow Boards to access allotted funds, as needed, and to report the expenditures. The system does not allow Boards to spend more than the amount allocated or budgeted. TWC's Finance department also provides the resources necessary for completing the Administration for Children and Families (ACF) 696 report.

TWC's Regulatory Integrity Division Performance Analysis and Reporting (PAR) department develops Board performance targets, and TWC's Workforce Development Division Board Contract Management incorporates each Board's individual child care allocation and performance targets into the Board's Child Care Services contract.

TWC's Workforce Development Division Workforce Policy and Program Assistance reviews Board policies and provides policy guidance to Boards through Workforce

Development (WD) Letters, Technical Assistance (TA) Bulletins, and policy clarifications.

TWC's Regulatory Integrity Division Office of Investigations and Subrecipient Monitoring monitor all Board child care operations and use risk assessment and fraud detection tools to determine specific areas of Board operations that may require additional scrutiny.

TWC requires each Board to:

- submit its child care policies to TWC no later than two weeks following adoption to ensure that policies and services comply with the relevant state and federal rules and regulations; and***
- submit individual plans for monitoring child care contractors.***

8.1.4 Describe the activities the Lead Agency has in place to identify program violations and administrative error to ensure program integrity using the series of questions below. Program violations may include intentional and unintentional client and/or provider violations as defined by the Lead Agency.

Administrative error refers to areas identified through the Error Rate Review process. Lead Agencies are required to have processes in place to identify fraud or other program violations.

a) Check which activities the Lead Agency has chosen to conduct to identify unintentional or intentional program violations.

- Share/match data from other programs (e.g., TANF, Child and Adult Care Food Program (CACFP), Food and Nutrition Service (FNS), Medicaid) or other databases (e.g., State Directory of New Hires, Social Security Administration, Public Assistance Reporting Information System (PARIS))

- Run system reports that flag errors (include types)

Describe:

TA Bulletin 258 provides Boards with information on child care fraud detection reports. TWC provides these reports through its Subrecipient Monitoring department or The Workforce Information System of Texas (TWIST) to assist

Boards with detection of potential fraud.

<http://www.twc.state.tx.us/files/partners/ta258.pdf>

- Child Care and Unemployment Insurance Early Warning Report

Purpose and Discussion

The Child Care and Unemployment Insurance Early Warning Report is a tool to assist Boards in the oversight of CCDF funds. TWC's Subrecipient Monitoring department sends this report to Boards twice a month, normally on the first and third Wednesday of each month. The report seeks to identify and assess customers who are potentially ineligible for child care services because they filed an unemployment insurance (UI) claim advising TWC that they are not working. The objective is to prevent child care overpayments by identifying customers before their four-week job search period expires. A customer identified in the report is not necessarily ineligible for services. Potential child care eligibility issues are resolved by verifying the customers' employment/training status using current local procedures. This also provides an opportunity for child care contractors to verify that customers have reported their UI benefits income for child care eligibility.

Methodology

The Child Care and Unemployment Insurance Early Warning Report identifies active child care customers whose eligibility is based on their employment but who have recently filed for UI benefits and reported to TWC that they are unemployed or have had a reduction in work hours. The report considers only exact SSN matches.

The Child Care and Unemployment Insurance Early Warning Report includes customers with reason for care code 1-Employment or 3-Employment and Training/Education on the Child Care Program Detail, Family tab, with one of the following TWIST eligibility characteristic codes:

- 10-Low Income ;***
- 2-TANF Applicant ; or***
- 3-Transitional .***
- Child Care Income Report***

Purpose and Discussion

The Child Care Income Report is a tool to assist Boards in the oversight of

CCDF funds. TWC's Subrecipient Monitoring department sends this report to Boards quarterly. The report seeks to identify and assess customers who are potentially ineligible due to parental/custodial changes or underreporting of income. A customer identified in the report is not necessarily ineligible for services; the issue of eligibility can be established only after a thorough review of the customer's case file and can involve contacting the customer for further information.

Methodology

The Child Care Income Report excludes from consideration those customers funded through Child Protective Services, foster care, or the Workforce Investment Act/Workforce Innovation and Opportunity Act dislocated worker program-funding sources that are not subject to the federal income eligibility limits. The methodology for generating the report is to compare all currently available income sources for the parent/custodian of a child care recipient to the 85 percent state median income (SMI) level, using the known family size identified in TWIST. Currently available income sources for generating the report include UI wage records, UI benefit payments, and Temporary Assistance for Needy Families (TANF) payments.

Note: The Child Care Income Report is prepared using the federal 85 percent SMI limitation for the known family size. Individual Boards can establish their own income limitations, which can be more restrictive than the federal limits for receiving subsidized child care.

If the SSN and both instances of customer surname match exactly, a record continues through the report process. If a record does not have a 100 percent match on SSN and surname, but SSN and at least 75 percent of the characters in the surnames match, it is considered a match and continues through the remaining process. (Previously, if the surnames did not match exactly, the record was excluded from the report.)

- Relative Care Income Report

Purpose and Discussion

The Relative Care Income Report is a tool to assist Boards in the oversight of

CCDF funds. Approximately five percent of all TWC-funded children are in a relative care setting.

TWC's Subrecipient Monitoring department sends this report to Boards quarterly. The goal of the report is to identify and assess relative providers most at risk for receiving child care payments but not actually providing care due to other employment. The report attempts to address one of the risks associated with relative providers; however, being listed on the report does not by itself indicate any impropriety.

Methodology

Relative providers providing full-time care during the quarter tested are matched by tax identification number to taxable wages. Providers that receive more than \$4,000 in taxable wages and more than \$750 in child care payments during the quarter tested are listed on the report. The parameters of the methodology do not represent official rules on allowable income or billable care, but rather establish a baseline to identify relative providers that pose the most risk.

- Child Care Work and Training Report

Purpose and Discussion

The Child Care Work and Training Report is a tool to assist Boards in the oversight of CCDF funds. TWC's Subrecipient Monitoring department sends this report to Boards quarterly. The report seeks to identify and assess customers who are potentially ineligible due to not meeting the At-Risk child care work and training requirement set forth in TWC Child Care Services rule §809.50. A customer identified on the report is not necessarily ineligible for services. The issue of eligibility can be established only after a thorough review of the customer's case file and may involve contacting the customer for further information.

Methodology

The Child Care Work and Training Report includes customers funded under At-Risk Care, and TANF Applicant care. The methodology for generating the report is to include customers with less than \$500 in reported UI wages and UI benefits

who are receiving more than \$2,000 in child care in a given quarter.

If the SSN and both instances of customer surname match exactly, a record continues through the report process. If a record does not have a 100 percent match on the SSN and surname, but the SSN and at least 75 percent of the characters in the surnames match, it is considered a match and continues through the remaining process. (Previously, if the surnames did not match exactly, the record was excluded from the report.)

TWIST Web Reports

- ***Child Care Cases with the Same SSN/Child Care Clients with the Same SSN Reports***

Purpose and Discussion

The Child Care Cases with the Same SSN Report lists parent/guardian duplicated SSNs that have a payment in more than one workforce area in the same service month.

The Child Care Clients with the Same SSN Report lists children's duplicated SSNs that have a payment in more than one workforce area in the same service month.

- Review of enrollment documents, attendance or billing records
- Conduct supervisory staff reviews or quality assurance reviews
- Audit provider records
- Train staff on policy and/or audits
- Other.

Describe:

- None.

Describe what measures the Lead Agency plans to put in place to address program integrity along with action steps and completion timelines:

b) Check which activities the Lead Agency has chosen to conduct to identify administrative

error.

Share/match data from other programs (e.g., TANF, Child and Adult Care Food Program (CACFP), Food and Nutrition Service (FNS), Medicaid) or other databases (e.g., State Directory of New Hires, Social Security Administration, Public Assistance Reporting Information System (PARIS))

Run system reports that flag errors (include types)

Describe:

Review of enrollment documents, attendance or billing records

Conduct supervisory staff reviews or quality assurance reviews

Audit provider records

Train staff on policy and/or audits

Other.

Describe:

None.

Describe what measures the Lead Agency plans to put in place to address program integrity along with action steps and completion timelines:

8.1.5 Which activities (or describe under "Other") the Lead Agency will use to investigate and collect improper payments due to program violations or administrative error as defined in your State/Territory?

The Lead Agency has the flexibility to recover misspent funds as a result of errors. The Lead Agency is required to recover misspent funds as a result of fraud.

a) Check which activities (or describe under "Other") the Lead Agency will use for unintentional program violations?

Require recovery after a minimum dollar amount in improper payment.

Identify the minimum dollar amount:

Coordinate with and refer to other State/Territory agency (e.g., State/Territory collection agency, law enforcement)

- Recover through repayment plans
- Reduce payments in subsequent months
- Recover through State/Territory tax intercepts
- Recover through other means
- Establish a unit to investigate and collect improper payments.

Describe:

TWC's Office of Investigation investigates and prosecutes potential fraud and assists Boards with fact-finding efforts.

- Other.

Describe:

- None.

Describe what measures the Lead Agency plans to put in place to address the investigation and recovery of misspent funds due to unintentional program violations, including action steps and completion timelines

b) Check which activities the Lead Agency will use for intentional program violations or fraud?

- Require recovery after a minimum dollar amount in improper payment.

Identify the minimum dollar amount:

- Coordinate with and refer to other State/Territory agency (e.g., State/Territory collection agency, law enforcement)
- Recover through repayment plans
- Reduce payments in subsequent months
- Recover through State/Territory tax intercepts
- Recover through other means
- Establish a unit to investigate and collect improper payments.

Describe composition of unit below

TWC's Office of Investigations investigates and prosecutes potential fraud and assists the Boards with fact-finding efforts.

- Other.

Describe:

None.

Describe what measures the Lead Agency plans to put in place to address the investigation and recovery of misspent funds due to fraud, include action steps and completion timelines:

c) Check which activities the Lead Agency will use for administrative error?

Require recovery after a minimum dollar amount in improper payment.

Identify the minimum dollar amount:

Coordinate with and refer to other State/Territory agency (e.g., State/Territory collection agency, law enforcement)

Recover through repayment plans

Reduce payments in subsequent months

Recover through State/Territory tax intercepts

Recover through other means

Establish a unit to investigate and collect improper payments.

Describe composition of unit below

TWC's Office of Investigations investigates and prosecutes potential fraud and assists the Boards with fact-finding efforts.

Other.

Describe:

None.

Describe what measures the Lead Agency plans to put in place to address the investigation and recovery of misspent funds due to administrative error, including action steps and completion timelines

8.1.6 What type of sanction will the Lead Agency place on clients and providers to help reduce improper payments due to program violations?

The Lead Agency is required to impose sanctions on clients and providers in response to fraud.

Disqualify client.

If checked, please describe, including a description of the appeal process for clients who are disqualified:

TWC Child Care Services rule §809.113 allows Boards to prohibit future eligibility for subsidized child care if a parent is found to have committed fraud (provided that the prohibition does not result in a Choices or Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) participant becoming ineligible for child care). A parent may request an appeal pursuant to Chapter 823, TWC's Integrated Complaints, Hearings, and Appeals Rules. Chapter 823 requires that parents request an appeal within 14 calendar days of the adverse action. Boards must provide an opportunity for informal resolution of a complaint or appeal. If no final informal resolution is reached, Boards must provide an opportunity for a hearing to resolve an appeal or complaint. If the adverse action is upheld, the parent may request an appeal to TWC Appeals.

To more effectively enforce program requirements, beginning January 2013, TWC's Chapter 809 Child Care Services rules were amended to add §809.55, requiring a mandatory waiting period of at least 30 days, but no more than 90 days, as determined by Board policy, if the parent's eligibility or child's enrollment is denied, delayed, reduced, suspended, or terminated for any of the following:

- Excessive absences;*
- Nonpayment of parent share of cost;*
- Five consecutive absences on authorized days of care with no parent contact with the child care provider or child care contractor; or*
- Parent's failure to report, within 10 days of occurrence, any change in the family's circumstances that would have rendered the family ineligible for subsidized care.*

Additionally, to more effectively enforce requirements for recording attendance in TWC's Child Care Attendance Automation system, beginning January 2013, §809.115 was amended to require Boards to develop policies and procedures

mandating that the Boards' child care contractors take corrective action against a parent when a parent or parent's secondary cardholder gives his or her:

- attendance card to a provider; or***
- personal identification number (PIN) to a provider.***

A parent may request an appeal pursuant to Chapter 823, TWC's Integrated Complaints, Hearings, and Appeals rules. Chapter 823 requires that parents request an appeal within 14 calendar days of the adverse action. Boards must provide an opportunity for informal resolution of a complaint or appeal. If no final informal resolution is reached, Boards must provide an opportunity for a hearing to resolve an appeal or complaint. If the adverse action is upheld, the parent may request an appeal to TWC Appeals.



Disqualify provider.

If checked, please describe, including a description of the appeal process for providers who are disqualified:

TWC Child Care Services rule §809.113 allows Boards to prohibit future eligibility for subsidized child care if a provider is found to have committed fraud. A provider may request an appeal pursuant to Chapter 823, TWC's Integrated Complaints, Hearings, and Appeals rules. Chapter 823 requires that providers request an appeal within 14 calendar days of the adverse action. Boards must provide an opportunity for informal resolution of a complaint or appeal. If no final informal resolution is reached, Boards must provide an opportunity for a hearing to resolve an appeal or complaint. If the adverse action is upheld, the provider may request an appeal to TWC Appeals.



Prosecute criminally

Other.

Describe: