1 Define CCDF Leadership and Coordination with Relevant Systems

This section identifies the leadership for the CCDF program in each Lead Agency and the entities and individuals who will participate in the implementation of the program. It also identifies the stakeholders that were consulted to develop the Plan and who the Lead Agency collaborates with to implement services. In this section respondents are asked to identify how match and maintenance-of-effort (MOE) funds are identified. Lead Agencies explain their coordination with child care resource and referral (CCR&R) systems, and outline the work they have done on their disaster preparedness and response plans.

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)). Note: An amendment to the CCDF State Plan is required if the Lead Agency changes or if the Lead Agency official changes.

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

Identify the Lead Agency or joint interagency office designated by the state or 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)).

a) Lead Agency or Joint Interagency Office Information:
Name of Lead Agency: Texas Workforce Commission

Street Address: 101 E. 15th St

City: Austin

State: Texas

ZIP Code: 78771-0001

Web Address for Lead Agency: http://www.texasworkforce.org

b) Lead Agency or Joint Interagency Official Contact Information:

Lead Agency Official First Name: Larry E.

Lead Agency Official Last Name: Temple

Title: Executive Director

Phone Number: (512) 463-0735

Email Address: larry.temple@twc.state.tx.us

1.1.2 Who is the CCDF Administrator?

Identify the CCDF Administrator designated by the Lead Agency, the day-to-day contact, or the person with responsibility for administering the state's or 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 the person with administrative responsibilities and include his or her contact information.

a) CCDF Administrator Contact Information:

CCDF Administrator First Name: Deborah

CCDF Administrator Last Name: Carlson
Title of the CCDF Administrator: Deputy Division Director, Board Administered Programs

Phone Number: (512) 463-2675

Email Address: deborah.carlson@twc.state.tx.us

Address for the CCDF Administrator (if different from the Lead Agency):

Street Address:

City:

State:

ZIP Code:

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

CCDF Co-Administrator First Name: Jason

CCDF Co-Administrator Last Name: Vaden

Title of the CCDF Co-Administrator: Director, Workforce Program Policy

Description of the role of the Co-Administrator: The Co-Administrator manages state-level policy staff responsible for CCDF planning, guidance, and implementation efforts.

Phone Number: (512) 463-0735

Email Address: jason.vaden@twc.state.tx.us

Address for the CCDF Co-Administrator (if different from the Lead Agency):

Street Address:

City:

State:

ZIP Code:
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 public or private local agencies as long as it retains overall responsibility for the administration of the program (658D(b)). Administrative and implementation responsibilities undertaken by agencies other than the Lead Agency must be governed by written agreements that specify the mutual roles and responsibilities of the Lead Agency and other agencies in meeting the program requirements.

1.2.1 Which of the following CCDF program rules and policies are administered (i.e., set or established) at the state or territory level or local level? Identify whether CCDF program rules and policies are established by the state or territory (even if operated locally) or whether the CCDF policies or rules are established by local entities, such as counties or workforce boards (98.16(i)(3)). Check one.

☐ All program rules and policies are set or established at the state or territory level. If checked, skip to question 1.2.2.

☑ 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.

1. Eligibility rules and policies (e.g., income limits) are set by the:
   ☑ State or territory
   ☑ Local entity (e.g., counties, workforce boards, early learning coalitions).

   If checked, identify the entity and describe the type of eligibility policies the local entity(ies) can set.

Texas Workforce Commission (TWC) Child Care Services rule §809.44 (Section D of the Child Care Services Guide) establishes guidelines for determining income eligibility. The guidelines consider irregular fluctuations in earnings; they also ensure that temporary increases in income do not affect eligibility or parent share of cost, including temporary increases that result in monthly income exceeding 85 percent of SMI. Additionally, TWC Child Care Services rule §809.43 defines state-level priority groups for child care services.
TWC Child Care Services rule §809.13 (Section B-300 of the Child Care Services Guide) requires Local Workforce Development Boards (Boards) to establish policies on the following in regard to 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-level priority groups (to be served after the state-defined priority groups)

☑️ Other.
Describe:
Boards must develop procedures for payment practices that include frequency of payments and selecting the entity that issues the payments.

As described in TWC Child Care Services rule §809.20(b), Boards must define tiered, enhanced reimbursement rates for providers with quality ratings.

2. Sliding-fee scale is set by the:

☐ State or territory
☑️ Local entity (e.g., counties, workforce boards, early learning coalitions).

If checked, identify the entity and describe the type of eligibility 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 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:
3. Payment rates are set by the:

☐ State or territory
☐ Local entity (e.g., counties, workforce boards, early learning coalitions).

If checked, identify the entity and describe the type of eligibility 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 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, TWC reviews Board performance monthly, including the number of children served and the percentage of providers in the state that served subsidized children.

TWC Child Care Services rule §809.19(a)(1)(B) (Section B-600 of the Child Care Services Guide) requires 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:

4. Other. List and describe other program rules and policies and describe (e.g., quality rating and improvement systems [QRIS], payment practices):
1.2.2 How is the CCDF program operated? In other words, which entity(ies) implement or perform these CCDF services? Check all that apply

a) Who conducts eligibility determinations?

☐ CCDF Lead Agency
☐ Temporary Assistance for Needy Families (TANF) agency
☐ Other state or territory agency
☐ Local government agencies, such as county welfare or social services departments
☐ Child care resource and referral agencies
☐ Community-based organizations
☐ Other.

Describe

As described in Section B-100 of the Child Care Services Guide, Boards are responsible for administrating 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 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
☐ Other state or territory agency
☐ Local government agencies, such as county welfare or social services departments
☐ Child care resource and referral agencies
☐ Community-based organizations
☐ Other.

Describe

Board child care contractors assist parents in locating child care. Note: "Child Care
Contractor," as 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, billing and reimbursement process related to child care subsidies, and funding of quality improvement activities.

c) Who issues payments?

- CCDF Lead Agency
- TANF agency
- Other state or territory agency
- Local government agencies, such as county welfare or social services departments
- Child care resource and referral agencies
- Community-based organizations
- Other.

Describe Boards or Board child care contractors issue payments to providers.

1.2.3 Describe the processes the Lead Agency uses to monitor CCDF administration and implementation responsibilities performed by other agencies as reported above in 1.2.2, including written agreements, monitoring and auditing procedures, and indicators or measures to assess performance of those agencies (98.16(b)). Note: The contents of the written agreement may vary based on the role the agency is asked to assume or type of project, but must include at a minimum, tasks to be performed, schedule for completing tasks, budget which itemizes categorical expenditures in accordance with CCDF requirements, and indicators or measures to assess performance (98.11(a)(3)).

TWC's Board Contract Administration department is responsible for developing and managing contracts for CCDF funds administered by the 28 Boards and for overseeing contractual compliance and use of allocated funds. Contract Administration activities include oversight of expenditure requirements, corrective actions, and making recommendations for the deobligation and reallocation of funds.
TWC’s contracts with Boards include performance measures for the use of CCDF funds. TWC tracks each Board's monthly performance for the average number of children served by the number of paid billings.

Additionally, TWC’s Subrecipient Monitoring (SRM) department annually monitors Boards to ensure that funds are spent in accordance with applicable federal and state statutes, regulations, and rules.

Board performance is monitored against the following monthly measures:
- average number of children served per day (for all and by eligibility category)
- average cost of care per day (for all and by eligibility category)
- percent of allocation expended for administration/operations

1.2.4 Lead Agencies must assure that, to the extent practicable and appropriate, any code or software for child care information systems or information technology for which a Lead Agency or other agency expends CCDF funds to develop must be made available on request to other public agencies, including public agencies in other States, for their use in administering child care or related programs (98.15(a)(11)).

Assure by describing how the Lead Agency makes child care information systems available to public agencies in other states to the extent practicable and appropriate.

Currently, TWC does not have a separate information system for child care. Boards use The Workforce Information System of Texas (TWIST) for eligibility and case management for all workforce programs, including child care. TWIST is a client-server application that was built in 1997; the child care program was phased in to TWIST in 2010. Due to the age and nature of the technology, TWIST does not lend itself to code-sharing.
1.2.5 Lead Agencies must have in effect policies to govern the use and disclosure of confidential and personally identifiable information about children and families receiving CCDF assistance and child care providers receiving CCDF funds (98.15(b)(13)).

Certify by describing the Lead Agency’s policies related to the use and disclosure of confidential and personally identifiable information.

As described in TWC’s Workforce Development Letter 02-18: Handling and Protection of Personally Identifiable Information (PII) and Other Sensitive Information, TWC policy requires Boards to ensure the protection of personally identifiable information and other confidential information for all customers. When a breach occurs, Boards and contractors must follow specific procedures to report the breach to TWC’s Risk and Security Management (RSM) department. WD 02-18 details requirements for the following areas:

- Access to, handling of, and protection of PII and other sensitive information
- Securing PII on computers and data storage
- Emailing PII
- Faxing and printing PII
- Mailing of PII
- Transportation of PII
- Retention and destruction of PII
- Protection against and response to possible breaches of PII
- Recommended best practices to ensure security of PII and other sensitive information

1.3 Consultation in the Development of the CCDF Plan

The Lead Agency is responsible for developing the CCDF plan, which serves as the application for a 3-year implementation period. As part of the Plan development process, Lead Agencies must consult with the following:

(1) Appropriate representatives of units of general purpose local government-(658D(b)(2);
98.10(c); 98.12(b); 98.14(b)). General purpose local governments are defined by the U.S. Census at https://www.census.gov/newsroom/cspan/govts/20120301_cspan_govts_def_3.pdf.

(2) The State Advisory Council (SAC) on Early Childhood Education and Care (pursuant to 642B(b)(I)(A)(i) of the Head Start Act) (658E(c)(2)(R); 98.15(b)(1)) or similar coordinating body pursuant to 98.14(a)(1)(vii).

(3) Indian tribe(s) or tribal organization(s) within the state. This consultation should be done in a timely manner and at the option of the Indian tribe(s) or tribal organization(s) (658D(b)(1)(E)).

Consultation involves meeting with or otherwise obtaining input from an appropriate agency in the development of the state or territory CCDF Plan. Describe the partners engaged to provide services under the CCDF program in question 1.4.1.

1.3.1 Describe the Lead Agency’s consultation in the development of the CCDF plan.

a) Describe how the Lead Agency consulted with appropriate representatives of general purpose local governments.

Board members are appointed by chief elected officials (CEOs) in each local workforce development areas, and the Board members are 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 members are members of Boards as the required public employment service representatives. The CEOs and the Board chair enter into a partnership agreement that defines their operating relationship. The Board executive director (ED) is responsible for administering Board staff operations. TWC’s three-member Commissioner (Commission), as well as TWC staff, consult regularly with Board EDs on all aspects of workforce services, including child care services. TWC staff meets with Board EDs monthly 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.
b) Describe how the Lead Agency consulted with the State Advisory Council or similar coordinating body.

Several times each year, TWC convenes meetings with an inter-agency team for early care and education. Representatives from the following agencies are invited to participate:

- Texas Health and Human Services Commission (HHSC) Child Care Licensing (CCL)
- Department of Family and Protective Services (DFPS) Prevention and Early Intervention (PEI)
- HHSC Early Childhood Intervention (ECI)
- Texas Education Agency (TEA) Early Childhood Education
- Texas Head Start Collaboration Office (THSCO)
- DFPS Child Protective Services (CPS)
- Texas Early Childhood Professional Development System (TECPDS)
- Texas Department of State Health Services (DSHS) Maternal Health and Substance Abuse

The team provides regular input on child care and early education initiatives in the state, as well as consultation on the development of the plan. The team met on May 10, 2018, and discussed the draft plan as well as opportunities for future coordination.

HHSC CCL was primarily responsible for developing Part 5 of the plan, 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 HHSC 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 the child care workforce and professional development, and Part 7, related to quality improvement systems.

c) Describe, if applicable, how the Lead Agency consulted with Indian tribes(s) or tribal organizations(s) within the state. Note: The CCDF regulations recognize the need for States to conduct formal, structured consultation with Tribal governments, including Tribal leadership. Many States and Tribes have consultation policies and procedures in place.

TWC participates in ACF’s regional joint tribal-state conference calls that are held quarterly. 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. In addition, the tribes were notified of the public meetings held to solicit input on the plan.

Additionally, TWC partners with tribal representatives on collaborative workgroups and projects focused on specific early childhood topics. For example, the Ysleta del Sur Pueblo tribe is active in both Project LAUNCH and the Texas Suspension-Expulsion Workgroup on which TWC is a lead partner.

d) Describe any other entities, agencies, or organizations consulted on the development of the CCDF plan.

In addition to holding three public hearings for the draft Plan, between March and May of 2018, TWC also conducted five workforce system stakeholder meetings in locations across the state. Stakeholders provided input on systemwide workforce needs, including child care.

1.3.2 Describe the statewide or territory-wide public hearing process held to provide the public with an opportunity to comment on the provision of child care services under this Plan (658D(b)(1)(C); 98.16(f)).

Reminder:
Lead Agencies are required to hold at least one public hearing in the state or territory, with sufficient statewide or territory-wide distribution of notice prior to such a hearing to enable the public to comment on the provision of child care services under the CCDF Plan. At a minimum, this description must include:

a) Date of the public hearing. 04/26/2018

Reminder: Must be no earlier than January 1, 2018, which is 9 months prior to the October 1, 2018, effective date of the Plan. If more than one public hearing was held, please enter one date (e.g. the date of the first hearing, the most recent hearing or any hearing date that demonstrates this requirement).

b) Date of notice of public hearing (date for the notice of public hearing identified in (a). 04/06/2018
Reminder: Must be at least 20 calendar days prior to the date of the public hearing. If more than one public hearing was held, enter one date of notice (e.g. the date of the first notice, the most recent notice or any date of notice that demonstrates this requirement).

c) How was the public notified about the public hearing? Please include specific website links if used to provide notice.

Texas held multiple public meetings to allow comment on the draft state plan. Hearings were held on April 26, May 3, and May 15, 2018. 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. All information placed on the TWC website is accessible to individuals with disabilities.

On April 3, 2018, 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.

d) Hearing site or method, including how geographic regions of the state or territory were addressed. Public hearings were held in three cities across multiple geographic regions: Houston, El Paso, and Fort Worth.

e) How the content of the Plan was made available to the public in advance of the public hearing. (e.g. the Plan was made available in other languages, in multiple formats, etc.) TWC placed the draft State Plan on its website at www.twc.state.tx.us

f) How was the information provided by the public taken into consideration regarding the provision of child care services under this Plan? TWC reviews and considers all public comments for plans and modifications as applicable.

1.3.3 Lead Agencies are required to make the submitted and final Plan, any Plan amendments, and any approved requests for temporary relief (i.e., waivers) publicly available on a website (98.14(d)). Please note that a Lead Agency must submit Plan amendments within 60 days of a substantial change in the Lead Agency's program. (Additional information may be found here: https://www.acf.hhs.gov/occ/resource/pi-2009-01)
a) Provide the website link to where the Plan, any Plan amendments, and/or waivers are available. Note: A Plan amendment is required if the website address where the Plan is posted is changed.

http://www.twc.state.tx.us/students/child-care-development-fund-state-plans

b) Describe any other strategies that the Lead Agency uses to make the CCDF Plan and Plan amendments available to the public (98.14(d)). Check all that apply and describe the strategies below, including any relevant website links as examples.

☐ Working with advisory committees.
Describe:

☐ Working with child care resource and referral agencies.
Describe:

☐ Providing translation in other languages.
Describe:

☐ Sharing through social media (e.g., Twitter, Facebook, Instagram, email).
Describe:

☐ Providing notification to stakeholders (e.g., provider groups, parent groups).
Describe:
Providers and stakeholders were e-mailed notification of the availability of the draft State Plan and information on the public hearings.

☐ Other.
Describe:
The State Plan contains TWC Chapter 809 Child Care Services rules, Board child care policies, and other applicable TWC rules and policies. In accordance with 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

Lead Agencies are required to describe how the state or 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. This includes programs for the benefit of Indian children, infants and toddlers, children with disabilities, children experiencing homelessness, and children in foster care (98.14(a)(1)).

1.4.1 Describe how the Lead Agency coordinates the provision of child care services with the following programs to expand accessibility and continuity of care and to assist children enrolled in early childhood programs in receiving full-day services that meet the needs of working families (658E(c)(2)(O); 98.12(a); 98.14(a)).

This list includes agencies or programs required by law or rule, along with a list of optional partners that Lead Agencies potentially would coordinate with over the next 3 years to expand accessibility and continuity of care and to assist children enrolled in early childhood programs in receiving full-day services.

Include in the descriptions 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 the quality of services for infants and toddlers through school-age children;
-- linking comprehensive services to children in child care or school age settings; or
-- developing the supply of quality care for vulnerable populations (as defined by the Lead Agency) in child care and out-of-school time settings.

Check the agencies or programs the Lead Agency will coordinate with and describe all that apply.

☑ (REQUIRED) Appropriate representatives of the general purpose local government, which can include counties, municipalities, or townships/towns.

Describe the coordination goals and process:
Each Board consults with local government representatives in the development of their workforce area's four-year strategic plan, which includes a local plan for the
administration, coordination, and oversight of child care services and initiatives.

✓ (REQUIRED) State Advisory Council on Early Childhood Education and Care (or similar coordinating body) (pursuant to 642B(b)(1)(A)(i) of the Head Start Act).
Describe the coordination goals and process:
Several times a year, TWC convenes a team of state partners in early childhood education and care. Meetings are conducted in person, via phone call, or via online webinar to support participation across the state. The group reviewed a draft of the State Plan and provided feedback during a conference call/webinar on May 10, 2018. Ongoing meetings focus on other planning topics that the group can offer input on (for example, plan amendments, quality initiatives, partnerships). Invited representatives include CCL, TEA, ECI, PEI, CLI, THSSCO, DSHS, and TECPS.

✓ Check here if the Lead Agency has official representation and a decision-making role in the State Advisory Council or similar coordinating body.

✓ (REQUIRED) Indian tribe(s) and/or tribal organization(s), at the option of individual tribes.
Describe the coordination goals and process, including which tribe(s) was consulted:
As requested by the Alabama-Coushatta, Kickapoo, and Ysleta del Sur Pueblo tribes, Boards coordinate with tribal early childhood programs, on child care services.

☐ N/A-There are no Indian tribes and/or tribal organizations in the State.

✓ (REQUIRED) State/territory agency(ies) 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 and Part B, Section 619 for preschool).
Describe the coordination goals and process:
TWC is an ex-officio member of the ECI Advisory Council and works with ECI to provide information to parents and providers on state resources available for developmental screenings and on other services for infants and toddlers with disabilities. Boards coordinate services with local early childhood programs serving infants and toddlers with disabilities, including local 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) State/territory office/director for Head Start state collaboration.
Describe the coordination goals and process:
As described above, THSCO is represented in the state's interagency team for early education and care. TWC works with the THSSCO director, as necessary, regarding coordination with Early Head Start and Head Start programs and initiatives.

(REQUIRED) State agency responsible for public health, including the agency responsible for immunizations.
Describe the coordination goals and process:
As described above, HHSC is a major partner in the provision of child care services in Texas. The Texas Department of State Health Services (DSHS), the agency responsible for immunizations, is a division of HHSC.

(REQUIRED) State/territory agency responsible for employment services/workforce development.
Describe the coordination goals and process:
TWC is the state agency responsible for employment services and workforce development.

(REQUIRED) State/territory agency responsible for public education, including prekindergarten (preK).
Describe the coordination goals and process:
To coordinate services for prekindergarten and school-age children, TWC works with the TEA and Boards work with local independent school districts (ISDs). Projects include Child Care-Pre-K Partnerships and ECDataWorks, a grant-funded initiative to improve the use of early childhood data.

(REQUIRED) State/territory agency responsible for child care licensing.
Describe the coordination goals and process:
TWC works with HHSC CCL to ensure that child care providers serving TWC-subsidized children meet health and safety requirements.

(REQUIRED) State/territory agency responsible for the Child and Adult Care Food Program (CACFP) and other relevant nutrition programs.
Describe the coordination goals and process:
TWC coordinates with the Texas Department of Agriculture (TDA), the agency responsible for CACFP, participating in efforts led by TDA to address children's health and nutrition including TDA's Obesity Prevention Program.

☑️ (REQUIRED) McKinney-Vento state coordinators for homeless education and other agencies providing services for children experiencing homelessness and, to the extent practicable, local McKinney-Vento liaisons.

Describe the coordination goals and process:
Boards coordinate with local homeless shelters and organizations serving homeless families. Boards also work with ISDs 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 Opportunity Act (WIOA).

☑️ (REQUIRED) State/territory agency responsible for the Temporary Assistance for Needy Families program.

Describe the coordination goals and process:
Boards coordinate with HHSC offices 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.

☑️ (REQUIRED) Agency responsible for Medicaid and the state Children's Health Insurance Program.

Describe the coordination goals and process:
As described above, TWC works extensively with HHSC, the agency responsible for CHIP and the Medicaid program. Boards also provide customers with referrals to these programs.

☑️ (REQUIRED) State/territory agency responsible for mental health

Describe the coordination goals and process:
TWC coordinates extensively with HHSC and DSHS, agencies with responsibility to address children's mental health issues. Additionally, Boards provide customers with referrals to local mental health programs.
(REQUIRED) Child care resource and referral agencies, child care consumer education organizations, and providers of early childhood education training and professional development.

Describe the coordination goals and process:
As discussed above, Boards may contract with local resource and referral organizations. Boards also contract with local providers of early childhood education training and professional development.

(REQUIRED) Statewide afterschool network or other coordinating entity for out-of-school time care (if applicable).

Describe the coordination goals and process:
TWC serves on the advisory board of the Texas Partnership of Out-of-School Time (TPOST). The advisory board provides a link between TPOST and the services provided by the state to enhance out-of-school time programming and quality.

(REQUIRED) Agency responsible for emergency management and response.
Describe the coordination goals and process:
TWC solicited input on the state’s Child Care Disaster Preparedness and Recovery Plan from the Texas Department of Public Safety’s (DPS) Emergency Management Division.

The following are examples of optional partners a state might coordinate with to provide services. Check all that apply.

☐ State/territory/local agencies with Early Head Start - Child Care Partnership grants.

Describe

☐ State/territory institutions for higher education, including community colleges

Describe
TWC works with CLI at the University of Texas Health Science Center at Houston and Texas A&M AgriLife Extension to coordinate training opportunities.

☐ 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 ECI Advisory Council. ECI is a statewide program for families with children ages birth to three years that 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 Child 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 Early and Periodic Screening, Diagnostic, and Treatment.
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

☐ Provider groups or associations.
Describe

☐ Parent groups or organizations.
Describe

☐ Other.
1.5 Optional Use of Combined Funds, CCDF Matching and Maintenance-of-Effort Funds

Optional Use of Combined Funds:
States and territories have the option to combine CCDF funds with any program identified as required in 1.4.1. These programs include those 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, children experiencing homelessness, 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 to expand and/or enhance services for infants, toddlers, preschoolers and school-age children and families to allow for the delivery of comprehensive 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 a 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 Program Performance Standards or state/territory prekindergarten requirements in addition to state/territory child care licensing requirements.

As a reminder, CCDF funds may be used in collaborative efforts with Head Start 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 CCDF is strongly encouraged by sections 640(g)(1)(D) and (E); 640(h); 641(d)(2)(H)(v); and 642(e)(3) of the Head Start Act in the provision of full working day, full calendar year comprehensive services. To implement such collaborative programs, which share, for example, space, equipment, or materials, grantees may layer several funding streams so that seamless services are provided (Policy and Program Guidance for the Early Head Start ' Child Care Partnerships: https://www.acf.hhs.gov/sites/default/files/occ/acf_im_ohs_15_03.pdf).
1.5.1 Does the Lead Agency choose to combine funding for CCDF services for any required early childhood program (98.14(a)(3))?  

☐ No (If no, skip to question 1.5.2)  
☒ Yes. If yes, describe at a minimum:  
  a) How you define "combine"  
  Non-CCDF funds are included with CCDF funds in allocations to Boards for the provision of qualifying direct child care services and child care quality improvement activities.  
  
  b) Which funds you will combine  
  TWC will use TANF funds transferred to Title XX, local donations, and state general revenue funds for child care services. Additionally, 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.  
  
  c) Your purpose and expected outcomes for combining funds, 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 to enhance and align child care services for children receiving protective services. TANF funds transferred to Title XX funds are combined with CCDF funds to enhance the quality and supply of child care services for children and families vulnerable due to extreme poverty.  
  
  d) How you will be combining multiple sets of funding, such as at the State/Territory level, local level, program level?  
  TWC allocates CCDF funding to Boards in a manner similar to the federal regulation for allocating funds to the states:  
  - Discretionary  
  - Matching (including state general revenue funds)
- Mandatory (including state general revenue funds for state Maintenance of Effort (MOE) funds and TANF funds transferred to Title XX)

e) How are the funds tracked and method of oversight

For control of 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.

1.5.2 Which of the following funds does the Lead Agency intend to use to meet the CCDF matching and MOE requirements described in 98.55(e) and 98.55(h)?

Note:
The Lead Agency must check at least public and/or private funds as matching, even if preK funds also will be used.

Use of PreK for Maintenance of Effort: The CCDF final rule clarifies that public preK funds may also serve as maintenance-of-effort funds as long as the state/territory can describe how it will coordinate preK and child care services to expand the availability of child care while using public preK funds as no more than 20 percent of the state's or territory's maintenance of effort or 30 percent of its matching funds in a single fiscal year (FY) (98.55(h)). If expenditures for preK services are used to meet the maintenance-of-effort requirement, the state/territory must certify that it has not reduced its level of effort in full-day/full-year child care services (98.55(h)(1); 98.15(a)(6)).

Use of Private Funds for Match or Maintenance of Effort: Donated funds do not need to be under the administrative control of the Lead Agency to qualify as an expenditure for federal match. However, Lead Agencies do need to identify and designate in the state/territory Plan the donated funds given to public or private entities to implement the CCDF child care program (98.55(f)).

☐ N/A - The territory is not required to meet CCDF matching and MOE requirements

☒ Public funds are used to meet the CCDF matching fund requirement. Public funds may include any general revenue funds, county or other local public funds, state/territory-specific funds (tobacco tax, lottery), or any other public funds.
-- If checked, identify the source of funds:
In addition to the state general revenue funds for public Pre-K that Texas certifies for match, the 28 Boards receive public match funds from public entities including local governments and public colleges and universities.

-- If known, identify the estimated amount of public funds that the Lead Agency will receive: $ not known

☑ Private donated funds are used to meet the CCDF matching funds requirement. Only private funds received by the designated entities or by the Lead Agency may be counted for match purposes (98.53(f)).

-- If checked, are those funds:
☑ donated directly to the State?
☑ donated to a separate entity(ies) designated to receive private donated funds?

-- If checked, identify the name, address, contact, and type of entities designated to receive private donated funds:
Each of the 28 Boards may receive privately donated funds to meet match requirements. A directory of Boards, including addresses and contact information is available at http://www.twc.state.tx.us/files/partners/workforce-board-directory-twc.pdf.

-- If known, identify the estimated amount of private donated funds that the Lead Agency will receive: $ not known

☑ State expenditures for preK programs are used to meet the CCDF matching funds requirement.

If checked, provide the estimated percentage of the matching fund requirement that will be met with preK expenditures (not to exceed 30 percent): 30 percent

-- If the percentage is more than 10 percent of the matching fund requirement, describe how the State will coordinate its preK and child care services:
As described above, TWC coordinates with TEA's Early Childhood Education department, which oversees Texas' public high-quality prekindergarten (pre-K) program. Additionally, Boards coordinate with local ISDs that provide pre-K programs to ensure coordination of pre-K and child care services.
-- If known, identify the estimated amount of preK funds that the Lead Agency will receive for the matching funds requirement: $32,624,039

-- Describe the Lead Agency efforts to ensure that preK programs meet the needs of working parents:

Boards work with local ISDs to provide wrap-around child care to serve the needs of working parents with eligible children. Additionally, in 2016, TWC awarded TEA $7.8 million in CCDF funds for planning and implementation grants for ISDs and charter schools to build partnerships with TRS 4-Star Child Care Providers to expand pre-K service capacity.

Additionally, in 2019 TWC plans to continue to work with TEA to expand these partnerships by leveraging additional quality funds now available.

☑ State expenditures for preK programs are used to meet the CCDF maintenance-of-effort requirements. If checked,

-- The Lead Agency assures that its level of effort in full-day/full-year child care services has not been reduced, pursuant to 98.55(h)(1) and 98.15(6).

☐ No

☑ Yes

-- Describe the Lead Agency efforts to ensure that preK programs meet the needs of working parents:

As described above, Boards work with local ISDs to provide wrap-around child care to serve the needs of working parents with eligible children. Additionally, TWC awarded TEA $7.8 million in CCDF funds in 2016 for planning and implementation grants for ISDs and charter schools to build partnerships with TRS 4-Star Child Care Providers to expand pre-K service capacity. TWC plans to leverage additional CCDF funds to continue and expand on these partnerships in 2019.

-- Estimated percentage of the MOE Fund requirement that will be met with preK expenditures (not to exceed 20 percent): 20 percent

-- If the percentage is more than 10 percent of the MOE requirement, describe how the State will coordinate its preK and child care services to expand the availability of child care:

As described above, planning and implementation grants are awarded to local ISDs...
and charter schools to build partnerships that expand the availability of preK and child care services. Additionally, Boards work closely with local ISDs and child care providers to understand the availability of child care in their workforce areas and to formulate strategies to expand availability.

-- If known, identify the estimated amount of preK funds that the Lead Agency will receive for the MOE Fund requirement: $ 6,936,285

1.6 Public-Private Partnerships

Lead Agencies are required to describe how they encourage public-private partnerships among other public agencies, tribal organizations, private entities, faith-based organizations, businesses or organizations that promote business involvement, and/or community-based organizations to leverage existing service delivery (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 the CCDBG Act. Lead Agencies are required to demonstrate how they encourage public-private partnerships to leverage existing child care and early education service-delivery systems and to increase the supply and quality of child care services for children younger than age 13, for example, by implementing voluntary shared service alliance models (98.14(a)(4)).

1.6.1 Identify and describe the entities with which and the levels at which the state/territory is partnering (level-state/territory, county/local, and/or programs), the goals of the partnerships, the ways that partnerships are expected to leverage existing service-delivery systems, the method of partnering, and examples of activities that have resulted from these partnerships (98.16(d)(2)).

Local Workforce Development Boards

Local Match: Boards leverage local public expenditures in the workforce areas as match for federal CCDF matching funds. Boards work with public institutions of higher education, ISDs, and local governments to certify local public expenditures for direct child care services to low-income families and for child care quality improvement activities. Boards use the federal CCDF matching funds resulting from the public certifications to increase direct child care services to CCDF-eligible families targeted to meet the child care needs in 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:

1. Quality child care programs, including programs meeting one of the following conditions:
   - Director receives monitoring; or
   - Program is in the process of obtaining Texas Rising Star (TRS) certification;
2. Technical assistance, including the following:
   - Assistance to TRS providers and child care providers seeking TRS certification;
3. Consumer information regarding the selection of the quality for parents; and
4. Parenting education information;
5. Professional development for child care providers, directors, and employees;
6. Educational materials for children served by child care providers; and
7. 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 SRM department annually monitors 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 attain higher levels of TRS certification.

**Texas Education Agency (TEA)**

**Prekindergarten-Child Care Partnership Planning Grants:** TWC has provided funding to TEA for PreK Partnership Planning Grants to assist local education agencies in developing partnerships with Texas Rising Star 4-star certified private child care providers to expand access and service delivery models for the provision of 3 and 4-year old prekindergarten.
Partnership goals include the following:
- Prepare children to be Kindergarten ready by expanding access to high quality prekindergarten programs for low income families;
- Offer full-day, full-year child care services;
- Increase the number of children accessing high-quality care;
- Allow school districts and private child care providers to leverage assets and share resources such as professional development, facilities, and staff;
- Provide an opportunity for TRS 4-star private child care provider to sustain their business by offering financial stabilities;
- Support and expand continuity and quality of prekindergarten instruction;
- Assist private child care providers to gain qualified staff; and
- Provide for shared standards of quality (curricular, instructional, assessment, professional development, instructional coaching, and family engagement) between school districts and private child care providers.

**Texas School Ready! Grants:** TWC provides CCDF matching funds to TEA for the Texas School Ready! (TSR!) project through the Children’s Learning Institute (CLI). TEA certifies state expenditures for the TSR! project. 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.

**Texas Rising Star Program Support:** TWC 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 TRS Provider Certification Guidelines content and outreach.

**Infant, Toddler, and Developmental Screening Training:** TWC approved funding to TEA to be used by CLI designed to improve the quality of infant and toddler care to assist providers with training on developmental screenings for infants and toddlers. A series of web-based training modules were developed highlighting early learning guidelines, social and emotional skills, and cognitive development. The modules provide caregivers with lessons that promote child development across all early learning domains. Additionally, the modules will also include developmental checklists that will allow caregivers to screen for developmental delays against important milestones in the early learning guidelines.

**Professional Development Partnerships:** TWC 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 is 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 Early Childhood Professional Development System (TECPDS):** TWC provided funding for the TECPDS, to support the Texas Workforce Registry (TWR). The Texas Workforce Registry (TWR) is a web-based application for early childhood education (ECE) professionals who work with children birth to age 8, to house their education and employment history, and training hours. The TWR is administered by the Texas Head Start Collaboration Office of the Children’s Learning Institute. The funds will be used to support the use of the TWR by TRS certified providers or child care providers applying for and working with a TRS mentor to achieve TRS certification.

**Texas Association for the Education of Young Children (TAEYC):** Through a competitive procurement process, TWC awarded funds to TXAEYC 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.

**Office of the Governor and Texas Education Agency**

**Texas Early Childhood Learning Summits:** In partnership with the Office of the Governor and TEA, TWC approved funding for two statewide conference tailored to the needs of early childhood educators and caregivers. Attendees will include certified teachers, school campus and district administrators as well as child care staff, administrators, and owners. Goals of the conferences include:
- Support the increased professional development needs of early learning professionals;
- Equip child care providers, school districts, and teachers with information, tools, and resources; and
- Improve the quality of prekindergarten and early care experiences.

**Children’s Learning Institute (CLI)**

**Strengthening Texas Rising Star Implementation:** The objective of the project is to strengthen the implementation of TRS, ensure equitable distribution of quality ratings and
reimbursements, and provide accurate assessments of quality for families and other stakeholders. The activities will include:
- An analysis of the validity and reliability of the TRS assessment instrument;
- The development and implementation of a certification program for TRS assessors and mentors, which may include a competency-based micro-credential for TRS assessors and mentors; and
- The delivery of specialized technical assistance (remote coaching) for providers with room to improve their star rating.

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

Lead Agencies may use CCDF funds to establish or support a system of local or regional child care resource and referral (CCR&R) organizations that is coordinated, to the extent determined by the state/territory, by a statewide public or private non-profit, community-based or regionally based, lead child care resource and referral organization (such as a statewide CCR&R network) (658E(c)(3)(B)(iii); 98.52).

- If Lead Agencies use CCDF funds for local CCR&R organizations, the local or regional CCR&R organizations supported by those funds must, at the direction of the Lead Agency, provide parents in the State with consumer education information concerning the full range of child care options (including faith-based and community-based child care providers), analyzed by provider, including child care provided during non-traditional hours and through emergency child care centers, in their area.

- To the extent practicable, work directly with families who receive assistance to offer the families support and assistance to make an informed decision about which child care providers they will use to ensure that the families are enrolling their children in the most appropriate child care setting that suits their needs and one that is of high quality (as determined by the Lead Agency).

- Collect data and provide information on the coordination of services and supports, including services under Section 619 and Part C of the Individuals with Disabilities Education Act;

- Collect data and provide information on the supply of and demand for child care services in areas of the state and submit the information to the State;
- Work to establish partnerships with public agencies and private entities, including faith-based and community-based child care providers, to increase the supply and quality of child care services in the state and, as appropriate, coordinate their activities with the activities of the state Lead Agency and local agencies that administer funds made available through CCDF (98.52(b)).

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

Note: Use 1.7.1 to address if a state/territory funds a CCR&R organization, what services are provided and how it is structured and use section 7.6.1 to address the indicators of progress met by CCR&R organizations if they are funded by quality set-aside funds.

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

- No. The state/territory does not fund a CCR&R organization(s) and has no plans to establish one.
- Yes. The state/territory funds a CCR&R system. If yes, describe the following:
  a) What services are provided through the CCR&R organization?
  b) How are CCR&R services organized, include how many agencies, if there is a statewide network and if the system is coordinated?

1.8 Disaster Preparedness and Response Plan

Lead Agencies are required to establish a Statewide Child Care Disaster Plan (658E(c)(2)(U)). They must demonstrate how they will address the needs of children, including the need for safe child care, before, during, and after a state of emergency declared by the Governor or a major disaster or emergency (as defined by Section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5122) through a Statewide Disaster Plan that, for a State, is developed in collaboration with the State human services agency, the State emergency management agency, the State licensing agency, the State health department or public health department, local and State child care resource and referral agencies, and the State Advisory
1.8.1 Describe how the Statewide Child Care Disaster Plan was developed in collaboration with the State human services agency, the State emergency management agency, the State licensing agency, the State health department or public health department, local and State child care resource and referral agencies, and the State Advisory Council on Early Childhood Education and Care or similar coordinating body:

TWC developed the Statewide Child Care Disaster Plan in concert with HHSC’s CCL division. TWC also solicited input from the state interagency team for early education and child care, Boards, DSHS, and DPS’s Office of Emergency Management. Considering recent experience with a natural disaster (Hurricane Harvey), TWC will continue to collaborate with partners to refine disaster plans that address the needs of children before, during, and after a disaster.

1.8.2 Describe how the Statewide Disaster Plan includes the Lead Agency’s guidelines for the continuation of child care subsidies and child care services, which may include the provision of emergency and temporary child care services during a disaster and temporary operating standards for child care after a disaster:

TWC’s Business Continuity Program and Statewide Child Care Disaster Plan are designed to ensure the continuation of service delivery after a disaster, including CCDF-funded assistance and child care services. TWC Chapter 800 General Administration rule §800.8 allows suspension of rules, on either a statewide or other basis, if the Commission finds a public emergency or imperative public necessity exists, and if the Commission finds that the suspension will best serve public health, safety, and welfare. Suspension of rules may permit the provision of emergency and temporary child care services if the need arises.
1.8.3 Describe Lead Agency procedures for the coordination of post-disaster recovery of child care services:

As described in the Statewide Child Care Disaster Plan, HHSC CCL is the main point of contact and coordination for child care providers affected by a disaster. CCL monitors the health and safety status of affected facilities and whether they are open. CCL communicates provider status to TWC at an agreed upon frequency (initially daily) and TWC then communicates the information on CCDF-funded providers to Boards.

In the event of a disaster, TWC’s Commissioners evaluate the available data and determine if suspension of any Chapter 809 Child Care Services rules is warranted to aid in recovery of child care services. Each Board develops procedures to implement disaster guidance provided by TWC in the Statewide Child Care Disaster Plan and any guidance that is disaster-specific.

1.8.4 Describe how the Lead Agency ensures that providers who receive CCDF funds have the following procedures in place—evacuation; relocation; shelter-in-place; lockdown; communications with and reunification of families; continuity of operations; and accommodations for infants and toddlers, children with disabilities, and children with chronic medical conditions:

CCL requires providers to have procedures for evacuation, relocation, and sheltering/lock-down of children. The procedures must include 1) that the first responsibility of staff is to move children to a designated safe area or alternate shelter known to all employees, parents, caregivers, and volunteers; 2) How children will be evacuated or relocated to the designated safe area or alternate shelter, including specific procedures for evacuating or relocating children who are under 24 months of age, who have limited ability, or who otherwise may need assistance in an emergency, such as children who have mental, visual, or hearing impairments; 3) staff responsibility for the orderly movement of children to a designated location within the operation in the event of a sheltering/lock-down emergency; 4) an emergency evacuation and relocation diagram; 5) the name and address of the alternate shelter; and how children in attendance at the time of the emergency will be accounted for at
the designated safe area or alternate shelter; 6) an emergency telephone number; 7) how
the operation will communicate with local authorities, parents, and licensing; 8) how staff will
evaluate and relocate with essential documentation including parent and emergency contact
numbers for each child in care, authorization for emergency care for each child in care, and
the child tracking system information for children in care; 9) how staff will continue to care for
children until each child has been released; and how the operation will reunify children with
their parents as the evacuation, relocation, or sheltering/lock-down is lifted.

1.8.5 Describe how the Lead Agency ensures that providers who receive CCDF funds
have the following procedures in place for child care staff and volunteers-emergency
preparedness training and practice drills as required in 98.41(a)(1)(vii):

Caregivers and volunteers must receive an overview of the procedures to follow in handling
emergencies, which includes sharing the emergency preparedness plan with all employees
during orientation. Caregivers must also receive training in emergency preparedness on an
annual basis. See additional details regarding training for emergency preparedness in
Section 5.2.2.a.7. CCL also requires operations to practice fire drills every month and be
able to safely exit children from the building within 3 minutes; sheltering drills for severe
weather must be conducted at least four times a year; lock-down drills for a volatile or
endangering person on the premises or in the area must be conducted at least four times a
year; and these drills must be documented with the date, time, and length of the drill. CCL
evaluates each operation for compliance with core measures related to training and practice
drills on an annual basis. Compliance may be evaluated by reviewing the operation’s
records and/or observing a practice drill in person.

1.8.6 Provide the link to the website where the statewide child care disaster plan is
available:

http://www.twc.state.tx.us/students/child-care-development-fund-state-plans
2 Promote Family Engagement through Outreach and Consumer Education

Lead Agencies are required to support the role of parents as child care consumers who need information to make informed choices regarding the services that best suit their needs. A key purpose of the CCDBG Act is to ‘promote involvement by parents and family members in the development of their children in child care settings' (658A(b)). Lead Agencies have the opportunity to consider how information can be provided to parents through the child care assistance system, partner agencies, and child care consumer education websites.

The target audience for the consumer education information includes three groups: parents receiving CCDF assistance, the general public, and when appropriate, child care providers. In this section, Lead Agencies will address how information is made available to families to assist them in accessing high-quality child care and how information is shared on other financial assistance programs or supports for which a family might be eligible. In addition, Lead Agencies will certify that information on developmental screenings is provided and will describe how research and best practices concerning children's development, including their social-emotional development, is shared.

In this section, Lead Agencies will delineate the consumer and provider education information related to child care, as well as other services, including developmental screenings, that is made available to parents, providers, and the general public and the ways that it is made available. This section also covers the parental complaint process and the consumer education website that has been developed by the Lead Agency and the manner in which it links to the national website and hotline. Finally, this section addresses the consumer statement that is provided to parents supported with CCDF funds.

2.1 Outreach to Families With Limited English Proficiency and Persons With Disabilities

The Lead Agency is required to describe how it provides outreach and services to eligible families with limited English proficiency and persons with disabilities and to facilitate the participation of child care providers with limited English proficiency and disabilities in the CCDF
program (98.16(dd)). Lead Agencies are required to develop policies and procedures to clearly communicate program information, such as requirements, consumer education information, and eligibility information, to families and child care providers of all backgrounds (81 FR 67456).

2.1.1 Check the strategies the Lead Agency or partners utilize to provide outreach and services to eligible families for whom English is not their first language. Check all that apply.

☑ Application in other languages (application document, brochures, provider notices)
☑ Informational materials 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.

Describe:

2.1.2 Check the strategies the Lead Agency or partners utilize to provide outreach and services to eligible families with a person(s) with a disability. Check all that apply.

☑ Applications and public informational materials available in Braille and other communication formats for access by individuals with disabilities
☑ Websites that are accessible (e.g. Section 508 of the Rehabilitation Act)
☑ Caseworkers with specialized training/experience in working with individuals with disabilities
☐ Ensuring accessibility of environments and activities for all children
☑ Partnerships with state and local programs and associations focused on disability-related topics and issues
☐ Partnerships with parent associations, support groups, and parent-to-parent support groups, including the Individuals with Disabilities Education Act (IDEA) federally funded Parent Training and Information Centers
Partnerships with state and local IDEA Part B, Section 619 and Part C providers and agencies

Availability and/or access to specialized services (e.g. mental health, behavioral specialists, therapists) to address the needs of all children

Other.

Describe:

TWC is the lead agency for Vocational Rehabilitation services in Texas.

2.2 Parental Complaint Process

The Lead Agency must certify that the state/territory maintains a record of substantiated parental complaints and makes information regarding such complaints available to the public on request (658E(c)(2)(C); 98.15(b)(3)). Lead Agencies must also provide a detailed description of the hotline or similar reporting process for parents to submit complaints about child care providers; the process for substantiating complaints; the manner in which the Lead Agency maintains a record of substantiated parental complaints; and ways that the Lead Agency makes information on such parental complaints available to the public on request (98.16; 98.32).

2.2.1 Describe the Lead Agency’s hotline or similar reporting process through which parents can submit complaints about child care providers, including a link if it is a Web-based process:

The Texas Abuse/Neglect Hotline is available for parents to report abuse, neglect, or exploitation of children as well as violations of minimum standards in child care operations:

- Texas Abuse/Neglect Hotline: 1-800-252-5400
- Non-emergency reports may also be submitted at the website: [www.txabusehotline.org](http://www.txabusehotline.org)

Both the hotline and website are available 24 hours a day, seven days a week, across the United States. In addition, parents can submit complaints about CCDF providers that are not related to abuse, neglect, or exploitation to the Board or the Board’s contractor. Complaints that cannot be resolved at the local level are escalated to TWC’s appeals process.

CCL requires operations to post the Texas Abuse and Neglect Hotline and local Licensing office telephone numbers in a prominent place in the operation for parents to see. These numbers are also posted on the public CCL website.
2.2.2 Describe the Lead Agency’s process and timeline for screening, substantiating and responding to complaints regarding CCDF providers, including whether the process includes monitoring:

When a report is received from someone alleging abuse or neglect or a violation of minimum standards or licensing law, Licensing staff investigate to decide the validity of the allegations and to make sure the children in care are protected.

The timeline for responding to and resolving complaints depends on the priority of the investigation. The initial response to an investigation involving an allegation of abuse or neglect must occur within the first 24-72 hours of receiving notification of the complaint, and the investigation must be resolved within 30 days unless there is good cause for an extension.

The initial response to an investigation involving an allegation of a violation of minimum standards or licensing law must occur within 5-15 days and resolved within 30-60 days, depending on priority. Timeframe for resolution may be extended if there is good cause.

Complaints that are not related to abuse, neglect, or exploitation, are evaluated by the Board and Board contractor. The Board and Board contractor will respond to the complaint and work with the provider to address any issues identified.

All investigations assigned a priority of 1, 2, 3, or 4 require an unannounced, onsite inspection of the operation by CCL staff. During the inspection CCL staff evaluate compliance with the minimum standards related to the allegation that is the subject of the investigation as well as any plain-view observations. CCL does not conduct an onsite inspection for investigations assigned a priority 5, which are complaints that involve allegations of only minor violations of minimum standards.
2.2.3 Describe the Lead Agency’s process and timeline for screening, substantiating and responding to complaints for non-CCDF providers, including whether the process includes monitoring:

When a report is received from someone alleging abuse or neglect or a violation of minimum standards or licensing law, Licensing staff investigate to decide the validity of the allegations and to make sure the children in care are protected.

The timeline for responding to and resolving complaints depends on the priority of the investigation. The initial response to an investigation involving an allegation of abuse or neglect must occur within the first 24-72 hours of receiving notification of the complaint, and the investigation must be resolved within 30 days unless there is good cause for an extension.

The initial response to an investigation involving an allegation of a violation of minimum standards or licensing law must occur within 5-15 days and resolved within 30-60 days, depending on priority. Timeframe for resolution may be extended if there is good cause.

After any investigation, a written report is given to the operation and deficiencies are discussed with the person in charge. This report is available for review at the provider and on the CCL website. If a provider disagrees with a deficiency, they may request an administrative review. Licensing staff follows up on all deficiencies to ensure deficiencies are corrected. If deficiencies are of such a serious nature that the health and safety of the children is threatened, enforcement actions such as administrative penalties, evaluation, probation, suspension or revocation of the permit may be warranted.

All investigations assigned a priority of 1, 2, 3, or 4 require an unannounced, onsite inspection of the operation by CCL staff. During the inspection CCL staff evaluate compliance with the minimum standards related to the allegation that is the subject of the investigation as well as any plain-view observations. CCL does not conduct an onsite inspection for investigations assigned a priority 5, which are complaints that involve allegations of only minor violations of minimum standards.
2.2.4 Certify by describing how the Lead Agency maintains a record of substantiated parental complaints:

Records of complaints regarding providers are maintained in the CCL Automated Support System (CLASS), the automated system that CCL uses to document all inspections and investigations. CLASS records go back to 2002.

2.2.5 Certify by describing how the Lead Agency makes information about substantiated parental complaints available to the public; this information can include the consumer education website discussed in section 2.3:

Information about complaints is available to the public through Search Texas Child Care, a searchable website maintained by CCL. The public can review a provider’s 36-month compliance history, which includes complaints. An individual may also contact the local CCL office for complaint information.

The public records of complaints is featured prominently on the public CCL website. Parents can easily find the public record of complaints and other violations through a simple Google search, involving key terms such as “Texas child care” (the first result for this search is the Search Texas Child Care site).

2.2.6 Provide the citation to the Lead Agency's policy and process related to parental complaints:

Section 6000 of the Child Care Licensing Handbook:
https://www.dfps.state.tx.us/handbooks/Licensing/Files/LPPH_pg_6000.asp#LPPH_6000
2.3 Consumer Education Website

States and Territories are required to provide information to parents, the general public, and when applicable, child care providers through a State website, which is consumer-friendly and easily accessible (658E(c)(2)(E)(i)(III)). The website must include information to assist families in understanding the policies and procedures for licensing child care providers. The website information must also include provider-specific information, monitoring and inspection reports for the provider, the quality of each provider (if such information is available for the provider), and the availability of the provider (658E(c)(2)(D); 98.33(a)). The website should also provide access to a yearly statewide report on deaths, serious injuries, and the number of cases of substantiated child abuse that have occurred in child care settings. To assist families with any additional questions, the website should provide contact information for local child care resource and referral organizations and any other agencies that can assist families in better understanding the information on the website.

To certify, respond to questions 2.3.1 through 2.3.10 by describing how the Lead Agency meets these requirements and provide the link in 2.3.11. If the Lead Agency has not fully implemented the Consumer Education website elements identified in Section 2.3, then respond to question 2.3.12. Please note that any changes made to the web links provided below in this section after the CCDF Plan is approved will require a CCDF Plan amendment.

2.3.1 Describe how the Lead Agency ensures that its website is consumer-friendly and easily accessible:

The Child Care Licensing consumer education website is in transition from the DFPS website to the HHS website, with all consumer content expected to be published on November 16, 2018. All consumer services HHS provides can be found under the Services tab on the HHS main page. The Child Care page will be a subpage under the Safety subtab. The consumer content is separated topically and given an appropriate page name to ease navigation and also contains FAQs with easy-to-read questions and answers that use simple terms and avoid industry jargon as much as possible. The HHS website adheres to all 504 accessibility requirements.

Child Care Licensing also maintains a website that allows users to search for child care providers and a 36-month history of violations for each provider. The website is user-friendly
by allowing the user to search by a variety of criteria, including provider type (Licensed Child Care Centers, Licensed Child Care Homes, Registered Child Care Homes, and Listed Family Homes). The website also allows users to search by county, multiple zip codes, age groups served, and services provided. The website presents the compliance history for the past 36 months and includes the number of minimum standards evaluated during the period, a brief description of each deficiency cited, and the risk level of each minimum standard cited (risk levels include high, medium high, medium, medium low, and low).

Additionally, the Texas Child Care Solutions website is organized to allow each audience to easily find information by topic: quality child care, financial assistance, child development, and information for providers. The content on the Texas Child Care Solutions website is also tested against the Flesch-Kincaid reading scale to ensure readability for the broadest audience.

2.3.2 Describe how the website ensures the widest possible access to services for families that speak languages other than English (98.33(a)):

The Texas Child Care Solutions website is available in both Spanish and Vietnamese, the second and third most common languages spoken in Texas.

The child care consumer information available on the CCL website will translated into Spanish once the content migrates to the HHSC website (from DFPS’s site). The translation is targeted for completion in November 2018. However, inspection results will not be translated at this time because the content is dynamically generated; translation will require additional technical resources and effort.

2.3.3 Describe how the website ensures the widest possible access to services for persons with disabilities:

All TWC web content is required to meet industry-accepted accessibility standards that allow
individuals with disabilities, such as visual impairments, to access information. The Texas Child Care Solutions website was built using WordPress. WordPress templates and design standards adhere to the Web Content Accessibility Guidelines (WCAG) 2.0 and comply with Section 504 of the Rehabilitation Act.

All CCL web content except for inspection results meets accessibility standards. As described above, the inspection results are dynamically generated; ensuring accessibility of the content will require additional technical resources and effort. HHSC has a dedicated accessibility department that works with all new computer systems to ensure the widest possible access to persons with disabilities. All new systems use the WCAG 2.0 and specialized accessibility testing occurs during the development lifecycle. However, legacy applications with outdated technologies have proven difficult and costly to bring up to standards as a standalone effort. There is an opportunity, subject to Legislative funding, where this site would be replaced at which point it would be in compliance.

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2.3.4 Lead Agency processes related to child care.

A required component of the consumer education website is a description of Lead Agency policies and procedures relating to child care (98.33(a) (1)). This information includes a description of how the state/territory licenses child care, a rationale for exempting providers from licensing requirements, the procedure for conducting monitoring and inspections of providers, and the policies and procedures related to criminal background checks.

a) Provide the link to how the Lead Agency licenses child care providers, including the rationale for exempting certain providers from licensing requirements, as described in
section 5.3.6:
Link to the explanation of how Child Care Licensing issues permits to child care homes:
http://www.dfps.state.tx.us/Child_Care/About_Child_Care_Licensing/become_home_provider.asp

Link to the explanation of how Child Care Licensing issues permits to child care centers:
http://www.dfps.state.tx.us/Child_Care/About_Child_Care_Licensing/become_center_provider.asp

b) Provide the link to the procedure for conducting monitoring and inspections of child care providers, as described in section 5.3.2:
Link to Child Care Licensing website that has monitoring and inspection information for parents on Child Care Licensing website:
http://www.dfps.state.tx.us/Child_Care/Information_for_Parents/what_we_do.asp

Link to monitoring and inspection policy and procedures:
http://www.dfps.state.tx.us/handbooks/Licensing/Menu/MenuLIC4000.asp

c) Provide the link to the policies and procedures related to criminal background checks for staff members of child care providers and the offenses that prevent individuals from being employed by a child care provider or receiving CCDF funds, as described in sections 5.4.1 and 5.4.11:
Link to main page for Background Checks:
https://www.dfps.state.tx.us/Background_Checks/default.asp

Link to charts that list the criminal offenses that prevent individuals from being employed by a child care provider:
https://www.dfps.state.tx.us/Child_Care/Child_Care_Standards_and_Regulations/Criminal_Convictions.asp

2.3.5 List of providers
The consumer education website must include a list of all licensed providers and, at the discretion of the Lead Agency, all providers eligible to deliver CCDF services, identified as either licensed or license-exempt. Providers caring for children to whom they are related do not need to be included. The list of providers must be searchable by ZIP Code.

a) Provide the website link to the searchable list of child care providers:
   http://www.dfps.state.tx.us/Child_Care/Search_Texas_Child_Care/default.asp

b) In addition to the licensed providers that are required to be included in your searchable list, which additional providers are included in the Lead Agency's searchable list of child care providers (please check all that apply):
   - License-exempt center-based CCDF providers
   - License-exempt family child care (FCC) CCDF providers
   - License-exempt non-CCDF providers
   - Relative CCDF child care providers
   - Other.
   Describe
   none

c) Identify what informational elements, if any, are available in the searchable results. Note: Quality information (if available) and monitoring results are required on the website but are not required to be a part of the search results.

Licensed Providers
- Contact Information
- Enrollment Capacity
- Years in Operation
- Provider Education and Training
- Languages Spoken
- Quality Information
- Monitoring Reports
- Other.
Describe:
- Operation (permit) number
- Programs provided (ages served, before/after school program, school-age

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License-Exempt, non-CCDF Providers
☐ Contact Information
☐ Enrollment Capacity
☐ Years in Operation
☐ Provider Education and Training
☐ Languages Spoken
☐ Quality Information
☐ Monitoring Reports
☐ Other.
Describe:

License-Exempt CCDF Center Based Providers
☐ Contact Information
☐ Enrollment Capacity
☐ Years in Operation
☐ Provider Education and Training
☐ Languages Spoken
☐ Quality Information
☐ Monitoring Reports
☐ Other.
Describe:

License-Exempt CCDF Family Child Care
Relative CCDF Providers

- Contact Information
- Enrollment Capacity
- Years in Operation
- Provider Education and Training
- Languages Spoken
- Quality Information
- Monitoring Reports
- Other.

Describe:

Other.

Describe:
2.3.6 Lead Agencies must also identify specific quality information on each child care provider for whom they have this information. The type of information provided is determined by the Lead Agency, and it should help families easily understand whether a provider offers services that meet Lead Agency-specific best practices and standards or a nationally recognized, research-based set of criteria. Provider-specific quality information must only be posted on the consumer website if it is available for the individual provider.

a) How does the Lead Agency determine quality ratings or other quality information to include on the website?

☑ Quality rating and improvement system
☐ National accreditation
☐ Enhanced licensing system
☐ Meeting Head Start/Early Head Start requirements
☐ Meeting prekindergarten quality requirements
☐ School-age standards, where applicable
☐ Other.

Describe:

b) For what types of providers are quality ratings or other indicators of quality available?

☑ Licensed CCDF providers.

Describe the quality information:

TRS is a voluntary, quality-based child care rating system of child care providers participating in TWC’s subsidized child care program. TRS certification is available to licensed centers and licensed and registered child care home providers that meet the certification criteria. TRS offers three levels of certification (2-star, 3-star, and 4-star) to encourage providers to attain progressively higher levels of quality.
Licensed non-CCDF providers.
Describe the quality information:

License-exempt center-based CCDF providers.
Describe the quality information:
Providers operated and monitored by the U.S. Department of Defense (DoD) are required to meet high-quality standards established and monitored by DoD. Therefore, DoD-operated facilities receive initial 4-star certification without requiring a full on-site assessment.

License-exempt FCC CCDF providers.
Describe the quality information:

License-exempt non-CCDF providers.
Describe the quality information:

Relative child care providers.
Describe the quality information:

Other.
Describe

2.3.7 Lead Agencies are required to post monitoring and inspection reports on the consumer education website for each licensed provider and for each non-relative provider eligible to provide CCDF services on the consumer education website. These reports must include results of required annual monitoring visits and visits due to major substantiated complaints about a provider’s failure to comply with health and safety requirements and child care policies. The reports must be in plain language and be timely to ensure that the results of the reports are available and easily understood by parents when they are deciding on a child care provider. Lead Agencies must post at least 3 years of reports when available, going forward (not retrospectively), beginning October 1, 2018.
Certify by responding to the questions below:

a) What is the Lead Agency’s definition of plain language and describe the process for receiving feedback from parents and the public about readability of reports.
HHSC describes plain language as language that allows the audience to find what they need, understand what they find, and use what they find to meet their needs. The contact information for Child Care Licensing is posted clearly throughout the CCL website, offering consumers the opportunity to provide feedback on the readability of the information and reports presented on the website.

b) Are monitoring and inspection reports in plain language?
☑ If yes,
include a website link to a sample monitoring report.

The website includes a plain-language summary of each inspection, including a static list of items that are evaluated at each inspection, including: supervision, child-to-caregiver ratio, obvious fire, safety, or sanitation deficiencies, conditions, director and caregiver responsibilities, and background checks. This information is static across inspection reports and operations.

The summary also includes a dynamically created list of each inspection, presented in a table format. The table can be viewed in a "Detail" view, which includes the date of inspection, the type of inspection, whether the inspection was a result of a self-report, whether a violation was found (yes or no). Under each inspection is a list of each subchapter of minimum standards that was evaluated, if applicable; the total number of minimum standards in that subchapter; and the total number of violations found under that subchapter. For subchapters that were not evaluated, the list shows the total number of individual minimum standards evaluated and the total number of violations found.

The table also can be viewed in an "All Deficiencies" view, which includes a list of each deficiency with the date of the inspection during which the deficiency was found, the minimum standard number and short description, the type of inspection, the risk level associated with the minimum standard deficiency, whether the deficiency was
corrected at inspection, the deadline for correcting the deficiency, the date the correction was verified by licensing, and the narrative written by licensing staff to explain the reason for the deficiency.

The table can be sorted by each column (other than the narrative column) and sorted by several criteria to make it easy to navigate and/or find relevant information.

The PDF version is also in plain-language, but a link to the actual PDF version of the inspection report is not provided online. The only additional information on the PDF version of the inspection report that is not included in the plain-language summary is the start and end times of the inspection, operation information that can be found on the Operation Details section of the public website, the name and number of the licensing staff that conducted the inspection, the name and number of the licensing supervisor, the number and type of records reviewed, and the dates of the most recent fire inspection, health inspection, liability insurance expiration date, and gas pipe pressure test, if applicable. Additionally, the PDF version of the inspection report includes instructions to the provider for submitting feedback about the inspection, a statement about the acknowledgment of receipt of the inspection form, and the licensing staff's and provider's signatures. Please note that Licensing requires that the full inspection report be posted at the operation.

Sample inspection summary:
http://www.dfps.state.tx.us/Child_Care/Search_Texas_Child_Care/CCLNET/Source/Provider/ppComplianceHistory.aspx?fid=1242567&type=MI

☐ If no, describe how plain language summaries are used to meet the regulatory requirements and include a link to a sample summary.

c) Check to certify what the monitoring and inspection reports and/or their plain language summaries include:

☑ Date of inspection
☑ Health and safety violations, including those violations that resulted in fatalities or serious injuries.
Describe how these health and safety violations are prominently displayed.
Licensing prominently displays all violations for each provider by providing a summary of the total number of violations broken down by risk level (high, medium high, medium, medium low, and low), displaying each violation in a table that includes a brief description of the minimum standard, the risk level associated with the minimum standard, and a link to the narrative explaining the reason for the violation.

☐ Corrective action plans taken by the State and/or child care provider.

Describe
For each deficiency cited, licensing displays whether or not the deficiency was corrected at time of the inspection (yes/no), the deadline for correcting the deficiency, and the date the correction was verified. Additional information about corrections are also included the narrative that explains the violation.

d) The process for correcting inaccuracies in reports.
Licensing does not post deficiencies to the public website until the provider has had an opportunity to appeal the finding and the provider either waived the right to due process or requested due process and the finding was upheld. However, if a provider wants to contest information that is posted on the public website, the contact information for Child Care Licensing (CCL) is posted clearly on the website, and each request is evaluated.

CCDF providers that are regulated by the Department of Defense are exempt from CCL and their inspection reports are not included on the CCL Website. DoD child development programs must adhere to the inspection and complaint procedures outlined in DoD Instruction 6060.02.

Child Care Licensing does not regulate or issue deficiencies to any license-exempt provider that is eligible for CCDF.

e) The process for providers to appeal the findings in reports, including the time requirements, timeframes for filing the appeal, for the investigation, and for removal of any violations from the website determined on appeal to be unfounded.
Licensing notifies providers that upon receipt of the inspection report, if the provider disagrees with the actions or decisions of the Licensing staff, the provider has 15 days to request an administrative review. Once Licensing receives the request for an
administrative review, Licensing staff must contact the provider within 10 days and schedule the conference within 30 days of this contact, unless additional time is necessary. Licensing then has 21 days after conducting the administrative review to prepare and send written notification about the outcome of the administrative review to the provider. Within this 21-day period, the Licensing staff that is conducting the review documents the decision to overturn or uphold the deficiency. A decision to uphold the deficiency may include amending the narrative or selecting a more appropriate minimum standard to cite as deficient. Once the decision to uphold is entered in the licensing system, the deficiency is posted to the public website the following day. If Licensing overturns the deficiency, the deficiency is not posted to the public website. Link to Licensing policy and procedures regarding administrative reviews:
http://www.dfps.state.tx.us/handbooks/Licensing/Files/LPPH_pg_7600.asp#LPPH_7710

f) How reports are posted in a timely manner. Specifically, provide the Lead Agency's definition of 'timely' and describe how it ensures that reports are posted within its timeframe. Note: While Lead Agencies define 'timely,' we recommend Lead Agencies update results as soon as possible and no later than 90 days after an inspection or corrective action is taken

Licensing does not post deficiencies to the public website until the provider has had an opportunity to appeal the finding and the provider either waived the right to due process or requested due process and the finding was upheld. Licensing notifies providers that upon receipt of the inspection report, if the provider disagrees with the actions or decisions of the licensing staff, the provider has 15 days to request an administrative review. If the provider provides written notice that the provider chooses to waive the right to an administrative review, or the provider does not provide a response within the 15 days, Licensing staff indicates in the licensing system that the provider waived the right to administrative review and the deficiency is posted to the public website the next day. This process usually takes from 15 to 20 days after Licensing cites the deficiency. If the provider requests the administrative review, the process, as described in section (d) above, takes approximately 76 days after Licensing cites the deficiency.

g) Describe the process for maintaining monitoring reports on the website. Specifically, provide the minimum number of years reports are posted and the policy for removing reports (98.33(a)(4)(iv)).

Licensing displays three years of compliance history for licensed operations and for
registered child care homes. The process for removing compliance information that is more than 36 months from the date of the deficiency is controlled by an IT process. There is no policy regarding removing reports; however, CCL will, on a case-by-case basis, evaluate a provider’s request to remove or change information posted to the public website.

Licensing does not publish reports of closed operations on the public website, but it does include a list of operations for which a permit has been revoked or involuntarily suspended. The list includes licensed child care operations whose permit has been revoked or involuntarily suspended in the past five years. Registered and listed homes whose permit has been revoked or involuntarily suspended after December 13, 2010, are listed permanently. The list includes only revocations or involuntary suspensions that have been finalized, not those that are still under review or appeal.

h) Any additional providers on which the Lead Agency chooses to include reports. Note - Licensed providers and CCDF providers must have monitoring and inspection reports posted on their consumer education website.

- License-exempt non-CCDF providers
- Relative child care providers
- Other.

Describe

2.3.8 Aggregate data on serious injuries, deaths, and substantiated cases of child abuse that have occurred in child care settings each year must be posted on the consumer education website. This aggregate information on serious injuries and deaths must be organized by category of care (e.g., center, FCC, etc.) and licensing status for all eligible CCDF provider categories in the state. The information on instances of substantiated child abuse does not have to be organized by category of care or licensing status. The aggregate report should not list individual provider-specific information or names.

Certify by providing:
a) The designated entity to which child care providers must submit reports of any serious injuries or deaths of children occurring in child care (98.16 (ff)) and describe how the Lead Agency obtains the aggregate data from the entity.

Child Care Licensing requires providers to report serious injuries and deaths of children occurring in regulated child care operations. CCL does not regulate any license-exempt provider that is eligible for CCDF, and therefore does not have any reporting requirements for license-exempt providers. Regulated providers may report serious injuries or deaths of children

1. online 24 hours a day at http://www.dfps.state.tx.us/Contact_Us/report_abuse.asp (Texas Abuse and Neglect Hotline online reporting system);
2. by phone 24 hours a day to the Texas Abuse and Neglect Hotline; or
3. by speaking to a Licensing employee during business hours at the local office.

If reports are made to the Texas Abuse and Neglect Hotline (either by online report or by phone), the Texas Department of Family and Protective Service (DFPS), the state agency that manages the hotline, enters the report into the DFPS automated system, IMPACT. IMPACT automatically routes reports related to child care operations to the licensing system, CLASS. For child deaths or other situations in which a child may be at immediate risk of harm, DFPS hotline staff also immediately notifies Licensing staff by phone. Until September 1, 2017, Child Care Licensing was a division of DFPS, and the DFPS Management, Reporting, and Statistics (MRS) division aggregated the data. Child Care Licensing became a division of the Texas Health and Human Services Commission (HHSC) as of September 1, 2017; however, DFPS MRS continues to support Licensing's data and reporting needs until similar supports are established at HHSC.

b) The definition of "substantiated child abuse" used by the Lead Agency for this requirement.

An allegation of abuse or neglect is substantiated if, based on the preponderance of evidence gathered during an investigation, the investigator concludes that alleged abuse or neglect occurred. Abuse and neglect are defined in Texas Family Code §261.001.

c) The definition of "serious injury" used by the Lead Agency for this requirement.

"Serious injury" is defined as a physical injury that requires medical treatment and that resulted or may result in impairment to the child's health or well-being. This includes fatal injuries, but does not include injuries for which a child is evaluated by a professional as a precaution; injuries for which first aid is administered at the provider but for which no
further treatment by a medical professional is warranted; or medical events due to routine, on-going medical issues, such as asthma or seizures. Link to definition: http://www.dfps.state.tx.us/handbooks/Licensing/Files/LPPH_px_Definitions_of_Terms.asp

d) The website link to the page where the aggregate number of serious injuries, deaths, and substantiated instances of child abuse are posted.
Serious Injuries:  
http://www.dfps.state.tx.us/Child_Care/documents/FY17_DC_Confirmed_Serious_Injuries.pdf

Deaths:  
http://www.dfps.state.tx.us/Prevention_and_Early_Intervention/Office_of_Child_Safety/default.asp

The Texas Department of Family and Protective Services (DFPS) is the state agency responsible for conducting investigations of a child's death that occurs in child care settings. The Child Care Investigations division within DFPS conducts the investigations and the Office of Child Safety within DFPS analyzes and posts the fatality data online. The deaths of children occurring in child care settings can be found in the "Child Fatalities Assigned for Investigation by Program" Data Chart. The deaths are listed by state Fiscal Year. The deaths of children occurring in child care settings can by found by filtering Column C (Programs Involved/Investigating) by any cell that includes "CCL". The specific operation type where the death occurred is located in Column D (Operation Type (CCL Only)).

Substantiated Instances of Child Abuse:  
http://www.dfps.state.tx.us/About_DFPS/Data_Book/Child_Care_Licensing/Day_Care/Abuse_Neglect_Investigations.asp

The Texas Department of Family and Protective Services (DFPS) is the state agency responsible for conducting investigations of alleged abuse or neglect of a child in child care settings. DFPS posts aggregate data of substantiated instances of child abuse and neglect in child care settings in the DFPS Annual Data Book.
2.3.9 The consumer education website should include contact information on referrals to local child care resource and referral organizations. How does the Lead Agency provide referrals to local CCR&R agencies through the consumer education website? Describe and include a website link to this information:

Developed by the Texas Workforce Commission, the purpose of Texas Child Care Solutions is to provide parents and child care providers access to resources and information to assist them in making informed choices to meet their child care and family needs. Texas Child Care Solutions connects parents with up-to-date parenting information, ideas, and on-the-ground resources:

http://texaschildcaresolutions.org/contact-us/

2.3.10 The consumer education website should include information on how parents can contact the Lead Agency, or its designee, or other programs that can help the parent understand information included on the website. Describe and include a website link to this information:

Parents can contact their local Board for assistance with understanding the information provided on the Texas Child Care Solutions website:

http://texaschildcaresolutions.org/contact-us/

In addition, the following CCL web pages for parents include a link to a list of local CCL offices:

http://www.dfps.state.tx.us/Child_Care/Information_for_Parents/what_we_do.asp
http://www.dfps.state.tx.us/Child_Care/Local_Child_Care_Licensing_Offices/default.asp

2.3.11 Provide the website link to the Lead Agency's consumer education website. Note: An amendment is required if this website changes.

Texas Child Care Solutions is TWC's consumer education website and is available at http://texaschildcaresolutions.org/. Texas Child Care Solutions links to CCL’s website about

NOTE: CCL’s website will migrate from DFPS to HHSC in late September.

### 2.3.12 Other

Identify and describe the components that are still pending per the instructions on CCDF Plan Response Options for Areas where Implementation is Still in Progress in the Introduction.

CCL is in the process of transferring web content from the DFPS website to the HHSC website as part of CCL’s transfer to HHSC. CCL anticipates that HHSC will publish the CCL consumer content on the HHSC website around September 21, 2018. Once the content is transferred, it will take approximately six weeks to translate and publish the consumer content into Spanish.

Additionally, CCL is in the process of enhancing the Search Texas Child Care site to display how a provider corrected a deficiency. CCL anticipates deploying this enhancement to the website on August 26, 2018.

### 2.4 Additional Consumer and Provider Education

Lead Agencies are required to certify that they will collect and disseminate information about the full diversity of child care services to promote parental choice to parents of eligible children, the general public, and where applicable, child care providers. In addition to the consumer education website, the consumer education information can be provided through CCR&R organizations or through direct conversations with eligibility case workers and child care providers. Outreach and counseling can also be effectively provided via information sessions or intake processes for families (658E(c)(2)(E); 98.15(b)(4); 98.33(b)).

In questions 2.4.1 through 2.4.5, certify by describing:
2.4.1 How the Lead Agency shares information with eligible parents, the general public, and where applicable, child care providers about the availability of child care services provided through CCDF and other programs for which the family may be eligible, such as state preK, as well as the availability of financial assistance to obtain child care services. At a minimum, describe what is provided (e.g., such methods as written materials, the website, and direct communications) and how information is tailored for these audiences.

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.

The information is available to eligible parents and the public through TWC’s consumer education website at [www.texaschildcaresolutions.org](http://www.texaschildcaresolutions.org). The website includes links to each program’s website and any local information that may be available.

2.4.2 The partnerships formed to make information about the availability of child care services available to families.

Partnerships are formed to make information about the availability of child care services available to families. Boards provide coordination of services through the one-stop delivery system across multiple programs that serve parents including ES, WIOA, AEL, TANF, SNAP, VR, and Child Care in Workforce Solutions Offices. Boards are required to offer information about child care services at all full-service centers. Additionally, TWC partners with CPS to provide information about child care services to families with children in protective or foster care.
2.4.3 How the Lead Agency provides the required information about the following programs and benefits to the parents of eligible children, the general public, and where applicable, providers. In the description include, at a minimum, what information is provided, how the information is provided, and how the information is tailored to a variety of audiences and include any partners who assist in providing this information.

- **Temporary Assistance for Needy Families program:**
  - [www.texaschildcaresolutions.org](http://www.texaschildcaresolutions.org) website includes links to TANF information available at the HHSC website.

- **Head Start and Early Head Start programs:**
  - The website includes links to Head Start and Early Head Start information available from the THSSCO.

- **Low Income Home Energy Assistance Program (LIHEAP):**
  - The website includes links to the Comprehensive Energy Assistance Program's (CEAP) information available from the Texas Department of Housing and Community Affairs.

- **Supplemental Nutrition Assistance Programs (SNAP) Program:**
  - The website includes links to SNAP information available at the HHSC website.

- **Women, Infants, and Children Program (WIC) program:**
  - The website includes links to the Women, Infants, and Children (WIC) program information, available at the DSHS website.

- **Child and Adult Care Food Program (CACFP):**
  - The website includes links to CACFP information, available at the Texas Department of Agriculture (TDA) website.

- **Medicaid and Children's Health Insurance Program (CHIP):**
The website includes links to both Medicaid and CHIP information available at the HHSC website.

Programs carried out under IDEA Part B, Section 619 and Part C:
The website includes links to ECI information, available at the HHSC website; and links to the Preschool Programs for Children with Disabilities (PPCD) information, available at TEA.

2.4.4 Describe how the Lead Agency makes available to parents, providers, and the general public information on research and best practices concerning children's development, including physical health and development, particularly healthy eating and physical activity. Information about successful parent and family engagement should also be shared. At a minimum, include what information is provided, how the information is provided, and how the information is tailored to a variety of audiences and include any partners in providing this information.

The Texas Early Learning Council developed infant, toddler, and three-year-old guidelines called Little Texans–Big Futures, which 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, providers, and the public at http://littletexans.org/DownloadGuidelines.aspx. TEA has also 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 Workforce Solutions Offices. Additionally, TWC uses the GovDelivery email system to provide information on the guidelines to providers.

Furthermore, the 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 providers 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.

2.4.5 Describe how information on the Lead Agency’s policies regarding the social-emotional and behavioral issues and early childhood mental health of young children, including positive behavioral intervention and support models based on research and best practices for those from birth to school age, are shared with families, providers, and the general public. At a minimum, include what information is provided, how the information is provided, and how information is tailored to a variety of audiences and include any partners in providing this information.

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 public, and providers at http://littletexans.org/DownloadGuidelines.aspx.

Links to Little Texans–Big Futures as well as 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 Workforce Solutions Offices. Parents can discover the Texas Child Care Solutions website through a simple Google search as well as through the referral services of Texas 2-1-1 (a website and toll-free number that connects Texans with the health and human services).

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

Further, the 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 providers are made aware of the guidelines through TRS mentors.

Partners making information available regarding social-emotional and behavioral health include CLI, TEA, ECI, PEI, and local Boards.

TWC participates in the recently launched Start Smart Texas Coalition. Developed by TEA, PBS, and United Way, Start Smart Texas is an online, social-media-based platform that provides parents of young children (Birth to 8) with regular tips on parenting, child development, and early learning at home. Parents can subscribe to receive regular text messages or may follow the initiative on social media platforms. Social-emotional topics covered by Start Smart include self-regulation, early communication skills, social interaction, and infant brain development.

TWC is also partners with the Project LAUNCH (Linking Actions for Unmet Needs in Children’s Health) project to increase developmental and social-emotional screenings for young children, implement parent-strengthening strategies, and strengthen the early childhood professional development system.

Additionally, TWC is a lead agency (along with TEA and CCL) and the Texas Early Childhood Suspension and Expulsion Workgroup. This group has engaged with ACF state system and infant/toddler specialists to create a statewide strategic plan for addressing suspension and expulsion in early childhood settings. Major components of the plan are communication/outreach, family engagement, and strengthening professional development around addressing challenging behaviors.
2.4.6 Describe the Lead Agency's policies to prevent the suspension and expulsion of children from birth to age 5 in child care and other early childhood programs receiving CCDF funds (98.16(ee)), including how those policies are shared with families, providers, and the general public.

TWC is committed to providing support and resources to child care and early education providers, caregivers, and parents to assist in creating positive classroom climates, and in developing strategies to appropriately address challenging behaviors to reduce suspensions or expulsions from the child care setting. TWC’s policy and resources are available to parents, providers, and the public on the Texas Child Care Solutions website at: https://texaschildcaresolutions.org/wp-content/uploads/sites/3/2016/09/Expulsion-Reduction-and-Prevention-Policy-Statement.pdf

Additionally, TWC requires TRS providers to have a policy on expulsions and provide the policy to parents.

2.5 Procedures for Providing Information on Developmental Screenings

Lead Agencies are required to provide information on developmental screenings, including information on resources and services that the State can deploy, such as the use of the Early and Periodic Screening, Diagnosis, and Treatment program under the Medicaid program carried out under title XIX of the Social Security Act and developmental screening services available under IDEA Part B, Section 619 and Part C, in conducting those developmental screenings and in providing referrals to services for children who receive subsidies. Lead Agencies must also include a description of how a family or child care provider can use these resources and services to obtain developmental screenings for children who receive subsidies and who might be at risk of cognitive or other developmental delays, which can include social, emotional, physical, or linguistic delays (658E(c)(2)(E)(ii)). Lead Agencies are required to provide this information to eligible families during CCDF intake and to child care providers through training and education (98.33(c)).
2.5.1 Certify by describing:

a) How the Lead Agency collects and disseminates information on existing resources and services available for conducting developmental screenings to CCDF parents, the general public, and where applicable, child care providers (98.15(b)(3)).

TWC coordinates with DSHS, HHSC, and TEA to stay abreast of resources available for conducting developmental screenings. Information regarding these services is available to parents, providers, and the public through Texas Child Care Solutions.

b) The procedures for providing information on and referring families and child care providers to the 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.).

As described in Section D-1004.a of the Child Care Services Guide, Boards are required to ensure that parents receive information on developmental screenings as part of the intake process.

As described in Section H-107 of TWC's Child Care Services Guide, Boards have the flexibility to choose methods for disseminating developmental screening information to parents, including providing information through Board websites and providing a link to the Texas Child Care Solutions website. Boards are also encouraged to make information and training on developmental screenings available to providers.

c) How the Lead Agency gives information on developmental screenings to parents receiving a subsidy as part of the intake process. Include the information provided, ways it is provided, and any partners in this work.

As described in Section D-1004.a of the Child Care Services Guide, Boards are required to ensure that parents qualifying for a subsidy receive information on developmental screenings as part of the intake process. TWC provides a sample handout for Boards in Appendix J of the Child Care Services Guide: Parent Information for Developmental Screenings and Other Family Resources.
d) How CCDF families or child care providers receiving CCDF can use the available resources and services to obtain developmental screenings for CCDF children at risk for cognitive or other developmental delays.

Information on how to access available resources and services to obtain developmental screenings is available at Texas Child Care Solutions, as well as in the information provided to CCDF families at time of intake.

e) How child care providers receive this information through training and professional development.

In Fiscal Year 2017, TWC approved funding for a TEA-CLI initiative assist providers with training on developmental screenings for infants and toddlers. The initiative involves a series of web-based training modules that cover early learning guidelines, social and emotional skills, and cognitive development. The modules provide caregivers with lessons that promote child development across all early learning domains. Additionally, the modules include developmental checklists that allow caregivers to screen for developmental delays against important milestones in the early learning guidelines (CLI: Understanding Developmental Screening and Early Intervention).

Additionally, Boards provide training and professional development for providers that may focus on developmental screenings.

f) Provide the citation for this policy and procedure related to providing information on developmental screenings.

TWC Child Care Services Rules at §809.15(b)(6) requires Boards to provide information on existing resources and services available in the workforce area for conducting developmental screenings and providing referrals to services, including the use of the following programs:

- Early and Periodic Screening, Diagnosis, and Treatment Program (known as "Texas Health Steps"): https://www.mychildrensmedicaid.org/content/texas-health-steps-medicalcheckups
- TEA's Preschool Programs for Children with Disabilities (PPCD): http://tea.texas.gov/Curriculum_and_Instructional_Programs/Special_Education/Programs_and_Services/Services_for_Texas_Students_with_Disabilities_Ages_3-5/
2.6 Consumer Statement for Parents Receiving CCDF Funds

Lead Agencies must provide CCDF parents with a consumer statement in hard copy or electronically (such as referral to a consumer education website) that contains specific information about the child care provider they select. This information about the child care provider selected by the parent includes health and safety requirements met by the provider, any licensing or regulatory requirements met by the provider, the date the provider was last inspected, any history of violations of these requirements, and any voluntary quality standards met by the provider. It must also describe how CCDF subsidies are designed to promote equal access, how to submit a complaint through a hotline, and how to contact local resource and referral agencies or other community-based supports that assist parents in finding and enrolling in quality child care (98.33(d)). Please note that if the consumer statement is provided electronically, Lead Agencies should consider how to ensure that the statement is accessible to parents and that parents have a way to contact someone to address questions they have.

2.6.1 Certify by describing:

a) How the Lead Agency provides parents receiving CCDF funds with a consumer statement.

As described in Section D-1004.a of TWC's Child Care Services Guide, Boards may use the TWC-developed forms to notify parents of their eligibility for child care services and provide consumer information.

As required in TWC Child Care Services rule §809.15, Boards must also ensure that consumer education information is provided through a Board's website, and contains, at a minimum, the following:

- Information about the Texas Information and Referral Network/2-1-1 Texas (2-1-1 Texas)
- The CCL website and telephone number, so that parents can obtain health and safety requirements, including information on:
  1. the prevention and control of infectious diseases (including immunizations);
  2. building and physical premises safety;
  3. minimum health and safety training appropriate to the provider setting; and
  4. the regulatory compliance history of child care providers.
- A description of the full range of eligible child care providers A description of
programs available in the local workforce development area relating to school readiness and quality rating systems, including:

1. TRS provider criteria;
2. integrated school readiness models, pursuant to Texas Education Code §29.160; and
3. a list of child care providers that meet quality indicators, pursuant to Texas Government Code §2308.3171.

b) What is included in the statement, including when the consumer statement is provided to families.

The following forms are included in an eligibility notification packet and can be found in Appendix J of TWC's Child Care Services Guide:

- Notification of Child Care Services Eligibility Letter—Must include income information specific to the eligibility determination, or the Board may opt to attach a CC 2050 Form
- Parents' Rights Parent Agreement to Report Child Care Attendance
- Parent Information for Choosing a Provider
- Parent Information on Developmental Screenings and Other Family Resources

Boards may customize these forms or develop their own. However, the following elements must be included in any Board-developed notification of eligibility for child care services:

- A written eligibility notification, which must contain at a minimum, the following:
  1. Congratulatory opening statement on eligibility
  2. Requirement that the parent select a provider within 14 days or contact the contractor if the parent has difficulty finding an eligible provider
  3. Specific eligibility reasons/elements
  4. Calculated monthly income including all income sources used to determine eligibility
  5. Household composition (family size)
  6. Expected parent share of cost amount
  7. 85 percent SMI information (income table)
  8. Requirements to report changes

- Parents' rights information, which must contain, at a minimum, the following:
  1. The basic rights listed in the TWC Sample Parent Rights form
  2. A statement that by selecting a provider and entering care, the parent acknowledges that he or she has read and understood the parents' rights information

- Parent agreement to report attendance, which must contain, at a minimum, the following:
  1. Information on the state attendance standards that the parent agrees to follow and the state-defined consequences for not meeting the standards
  2. Information on attendance reporting and Child Care Automated Attendance system (CCAA) cardholder responsibilities

- Parent information for choosing a provider, which must contain, at a minimum, the following:
  1. Information on parent choice, including types of providers available Information
on choosing a quality provider, including information about TRS providers
2. Information on how to access CCL provider compliance/inspection information
3. Additional consumer information, including information on developmental screenings and a link to the Parent Portal, Texas Child Care Solutions.

c) Provide a link to a sample consumer statement or a description if a link is not available.

Parent Portal: Texas Child Care Solutions
Sample: Child Care Services Application Recommended Language for Acknowledgement
Sample: Parent Information for Choosing a Child Care Provider
Sample: Parent Rights
Sample: Parent Information on Developmental Screenings and Other Family Resources
Sample: Parent Agreement to Report Child Care Attendance

3 Provide Stable Child Care Financial Assistance to Families

In providing child care assistance to families, Lead Agencies are required to implement these policies and procedures: a minimum 12-month eligibility and redetermination periods, 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 a job search of not fewer than 3 months if the Lead Agency exercises the option to discontinue assistance, and policies for the graduated phase-out of assistance. Also, procedures for the enrollment of homeless children and children in foster care, if served, pending the completion of documentation, are required.

Note: Lead Agencies are not prohibited from establishing policies that extend eligibility beyond 12 months to align program requirements. For example, Lead Agencies can allow children enrolled in Head Start, Early Head Start, state or local prekindergarten, and other collaborative programs to finish the program year. This type of policy promotes continuity for families receiving services through multiple benefit programs.

In this section, Lead Agencies will identify how they define eligible children and families and how the Lead Agency improves access for vulnerable children and families. This section also addresses the policies that protect working families and determine a family’s contribution to the child care payment.
3.1 Eligible Children and Families

At the time when eligibility is determined or redetermined, children must (1) be younger than age 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 said family); and (3)(a) reside with a parent or parents who are working or attending a job training or educational program or (b) receives, or needs to receive, protective services and resides with a parent or parents not described in (3)(a.) (658P(4)).

3.1.1 Eligibility criteria based on a child's age

a) The CCDF program serves children

   from 0

   (weeks/months/years)

   through 12

   years (under age 13). . Note: Do not include children incapable of self-care or under court supervision, who are reported below in (b) and (c).

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))

   □ No
   ✔ Yes,

   and the upper age is 18

   (may not equal or exceed age 19).

If yes, Provide the Lead Agency definition of physical and/or mental incapacity: A child who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment. Major life activities include, but are not limited to, caring for oneself;
performing manual tasks; walking; hearing; seeing, speaking or breathing; learning and working. (TWC Child Care Services rule §809.2(7)).

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))

☐ No.
☒ Yes

and the upper age is 18

(may not equal or exceed age 19)

d) How does the Lead Agency define the following eligibility terms?

"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(20)) Children of eligible, deployed military parents are exempt from residing with the child as defined in TWC Child Care Services rule §809.2(20). Additionally, Boards 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. (TWC Child Care Services rule §809.2(20))

"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 that the child's parents are unavailable to care for the child and that he or she is exercising parental responsibility for the child. (See Section D-105.c of TWC's Child Care Services Guide: 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(a)(3))
3.1.2 Eligibility criteria based on reason for care

a) How does the Lead Agency define "working or attending a job training and educational program" for the purposes of CCDF eligibility at the time of determination? Provide the definitions below for:

"Working":

TWC Child Care Services rule §809.2(24) defines "working" as:
- participating in activities for which one receives monetary compensation, such as a salary, wages, tips, and commissions; or
- participating in TANF Choices or SNAP Employment and Training (SNAP E&T) activities.

"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:
- is considered by the program to be officially enrolled;
- meets all attendance requirements established by the program; and
- is making progress toward successful completion of the program, as determined by the Board upon eligibility redetermination.

"Education":

TWC Child Care Service rule §809.2(1) states that an individual is considered to be "attending an education" program if the individual:
- is considered by the program to be officially enrolled;
- meets all attendance requirements established by the program; and
- is making progress toward successful completion of the program, as determined by the Board upon eligibility redetermination.

"Attending job training or education" (e.g. number of hours, travel time):

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. These requirements are applied only at the family initial eligibility determination and at the
Participation credit for individuals attending job training or education programs applies as follows: each credit hour of a postsecondary education course counts as three hours of education activity per week; each credit hour of a condensed postsecondary education course counts as six education activity hours per week; and teen parents attending high school or the equivalent shall be considered as meeting the education requirements of this section.

3.1.2 Eligibility criteria based on reason for care

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)?

☐ No.
If no, describe the additional work requirements:

☑ Yes.
If yes, describe the policy or procedure:
TWC Child Care Services rule §809.51(b) requires that during the period between eligibility determinations, a Board shall discontinue child care services due to a parent's loss of work or cessation of attendance at a job training or educational program that does not constitute a temporary change. However, Boards must ensure that care continues at the same level for a period of no fewer than three months after such loss of work or cessation of attendance at a job training or educational program to provide opportunity for the parent to reengage in work, training, or an education program.

c) Does the Lead Agency consider seeking employment (engaging in a job search) an eligible activity at initial eligibility determination (at application) and at the 12-month eligibility redetermination? (Note: If yes, Lead Agencies must provide a minimum of three months of job search)
3.1.2 Eligibility criteria based on reason for care

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

☑ No.
☐ Yes.

If yes, describe the policy or procedure. (including any differences in eligibility at initial eligibility determination vs. redetermination of eligibility):

The TWC Child Care Services rule §809.2(16) 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 CPS (this includes respite care provided to custodial parents of children in protective services);
- is in the managing conservatorship of DFPS and is residing with a relative or a foster parent; or
- has been provided with protective services by DFPS within the prior six months and requires services to ensure the stability of the family.

Additionally, for purposes of waiving the co-payment and income eligibility requirements for child care, children experiencing homelessness are included in the definition "protective services" for CCDF.

Note: Federal requirements allow other vulnerable children identified by the Lead Agency not formally in child protection to be included in the Lead Agency's definition of protective services for CCDF purposes. A Lead Agency may elect to provide CCDF-funded child care to children in foster care when foster care parents are not working or are not in education/training activities, but this provision should be included in the protective services definition above.

ii. Are children in foster care considered to be in protective services for the purposes of eligibility at determination?

☐ No
iii. Does the Lead Agency waive the income eligibility requirements for cases in which children receive, or need to receive, protective services on a case-by-case basis (658E(c)(5))?

- No
- Yes

iv. Does the Lead Agency provide respite care to custodial parents of children in protective services?

- No
- Yes

3.1.3 Eligibility criteria based on family income. Note: The question in 3.1.3 relates to initial determination. Redetermination is addressed in 3.1.7.

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

TWC Child Care Services rule §809.44 states the following:

(a) For the purposes of determining family income and assessing the parent share of cost, Boards shall ensure that family income is calculated in accordance with Commission guidelines that: (1) take into account irregular fluctuations in earnings; and (2) ensure that temporary increases in income, including temporary increases that result in monthly income exceeding 85 percent of SMI, do not affect eligibility or parent share of cost.

(b) In accordance with Commission income calculation guidelines, Boards shall ensure that the following income sources are excluded from the family income:

1. Medicare, Medicaid, SNAP benefits, school meals, and housing assistance;
2. Monthly monetary allowances provided to or for children of Vietnam veterans born with certain birth defects;
4. Individual Development Account (IDA) withdrawals for the purchase of a home, medical expenses, or educational expenses;
5. Onetime cash payments, including tax refunds, Earned Income Tax Credit (EITC) and
Advanced EITC, onetime insurance payments, gifts, and lump sum inheritances;
(6) VISTA and AmeriCorps living allowances and stipends;
(7) Noncash or in-kind benefits such as employer-paid fringe benefits, food, or housing received in lieu of wages;
(8) Foster care payments and adoption assistance;
(9) Special military pay or allowances, including subsistence allowances, housing allowances, family separation allowances, or special allowances for duty subject to hostile fire or imminent danger;
(10) Income from a child in the household between 14 and 19 years of age who is attending school;
(11) Early withdrawals from qualified retirement accounts specified as hardship withdrawals as classified by the Internal Revenue Service (IRS);
(12) Unemployment compensation;
(13) Child support payments;
(14) Cash assistance payments, including TANF, Supplemental Security Income (SSI), Refugee Cash Assistance, general assistance, emergency assistance, and general relief;
(15) Onetime income received in lieu of TANF cash assistance;
(16) Income earned by a veteran while on active military duty and certain other veterans’ benefits, such as compensation for service-connected death, vocational rehabilitation and education assistance;
(17) Regular payments from Social Security, such as Old-Age and Survivors Insurance Trust Fund;
(18) Lump sum payment received as assets in the sale of a house, in which the assets are to be reinvested in the purchase of a new home (consistent with IRS guidance);
(19) Payments, received as the result of an automobile accident insurance settlement, that are being applied to the repair or replacement of an automobile; and
(20) Any income sources specifically excluded by federal law or regulation.(c) Income that is not listed in subsection (b) of this section as excluded from income is included as income.

b) Provide the CCDF income eligibility limits in the table below at the time of initial determination. Complete columns (a) and (b) based on maximum eligibility at initial entry into CCDF. Complete columns (c) and (d) only if the Lead Agency is using income
eligibility limits lower than 85 percent of the current state median income (SMI) at the initial eligibility determination point. Fill in the chart based on the most populous area of the state (the area serving the highest number of CCDF children). If the income eligibility limits are not statewide, please respond to c) below the table.

<table>
<thead>
<tr>
<th>Family Size</th>
<th>(a) 100% of SMI($/Month)</th>
<th>(b) 85% of SMI ($/Month) [Multiply (a) by 0.85]</th>
<th>(c) IF APPLICABLE Maximum Initial or First Tier Income Limit (or Threshold) if Lower Than 85% of Current SMI</th>
<th>(d) IF APPLICABLE (% of SMI) [Divide (c) by (a), multiply by 100] Income Level if Lower Than 85% of Current SMI</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$3,245</td>
<td>$2,758</td>
<td>$2,023</td>
<td>62.3%</td>
</tr>
<tr>
<td>2</td>
<td>$4,244</td>
<td>$3,607</td>
<td>$2,743</td>
<td>64.6%</td>
</tr>
<tr>
<td>3</td>
<td>$5,243</td>
<td>$4,457</td>
<td>$3,463</td>
<td>66.0%</td>
</tr>
<tr>
<td>4</td>
<td>$6,241</td>
<td>$5,305</td>
<td>$4,183</td>
<td>67.0%</td>
</tr>
<tr>
<td>5</td>
<td>$7,240</td>
<td>$6,154</td>
<td>$4,903</td>
<td>67.0%</td>
</tr>
</tbody>
</table>

c) If the income eligibility limits are not statewide, describe how many jurisdictions set their own income eligibility limits and provide the income limit ranges across the jurisdictions (e.g. range from [lowest limit] to [highest limit])( 98.16(i)(3)).

Each of the 28 Boards sets its own income eligibility limits. The chart below is based on the Gulf Coast Board (Gulf Coast). Gulf Coast has established an entry-level eligibility of 200 percent of the federal poverty guidelines (FPG), with continued eligibility up to 85 percent of SMI. Column (c) in the chart contains the dollar amounts at 200 percent FPG for Gulf Coast, which is the maximum entry income level below 85 percent SMI. Column (d) is the corresponding percentages of SMI for the amounts in column (c).

*Reminder:* Income limits must be established and reported in terms of current SMI based on the most recent data published by the Bureau of the Census (98.20(a)(2)(i)) even if the federal poverty level is used in implementing the program. SMI guidelines are available at: [https://www.acf.hhs.gov/ocs/resource/liheap-im2017-03](https://www.acf.hhs.gov/ocs/resource/liheap-im2017-03).

e) Identify the most populous area of the State used to complete the chart above.
Gulf Coast Workforce Development Area
f) What was the date (mm/dd/yyyy) that these eligibility limits in column (c) became effective? 10/01/2018

g) Provide the citation or link, if available, for the income eligibility limits.

3.1.4 Lead Agencies are required to ensure that children receiving CCDF funds do not have family assets that exceed $1,000,000, as certified by a family member (98.20(a)(2)(ii)).

   a) Describe how the family member certifies that family assets do not exceed $1,000,000 (e.g., a checkoff on the CCDF application).

   A family member provides self-attestation on the Board's Application for Child Care Services that the family's assets do not exceed $1,000,000 and the Board records the certification in TWIST.

   b) Does the Lead Agency waive the asset limit on a case-by-case basis for families defined as receiving, or in need of, protective services?

      ☑ Yes.

      If yes, describe the policy or procedure and provide citation:

      TWC Child Care Services rule §809.41(a) exempts children receiving or needing protective services from income limits and the family asset limit.

3.1.5 Describe any additional eligibility conditions or priority rules applied by the Lead Agency during eligibility determination or redetermination (98.20(b)).

   Consistent with CCDF regulations, the first priority group consists of children residing in families with very low income. The second priority group consists of children with special needs, including children experiencing homelessness. A third priority group includes any other priority adopted by the Boards. However, a Board must not establish a priority group based on parent choice of an individual provider or provider type. Boards must ensure that children in the first and second priority groups are enrolled before enrolling children from
Board-established priority groups. See Sections B-400 through B-403 of the TWC Child Care Services Guide.

3.1.6 Lead Agencies are required to take into consideration children's development and promote continuity of care when authorizing child care services (98.21(f); 98.16(h)(6)). Check the approaches, if applicable, that the Lead Agency uses when considering children's development and promoting continuity of care when authorizing child care services.

- Coordinating with Head Start, prekindergarten, or other early learning programs to create a package of arrangements that accommodates parents' work schedules
- Inquiring about whether the child has an Individualized Education Program (IEP) or Individual Family Services Plan (IFSP)
- Establishing minimum eligibility periods greater than 12 months
- Using cross-enrollment or referrals to other public benefits
- Working with IDEA Part B, Section 619 and Part C staff to explore how services included in a child's IEP or IFSP can be supported and/or provided onsite and in collaboration with child care services
- Providing more intensive case management for families with children with multiple risk factors;
- Implementing policies and procedures that promote universal design to ensure that activities and environments are accessible to all children, including children with sensory, physical, or other disabilities
- Other.

Describe:
In accordance with TWC Child Care Services rule §809.14, Boards coordinate with federal, state and local child care and early development programs and representatives of local governments in developing their Board plans and policies for the design and management of the delivery of child care services, and maintain written documentation of coordination efforts. Pursuant to Texas Education Code §29.158, and in a manner consistent with federal law and regulations, Boards coordinate with school districts, Head Start, and Early Head Start program providers 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. Additionally, as described in E-606 of the Child Care Services Guide, Boards are encouraged to establish child care authorization procedures that take into account the developmental needs of the child, the child care needs of the parent, and the requirement to ensure proper use of public funds.

3.1.7 Policies and processes for graduated phase-out of assistance at redetermination.

Lead Agencies are required to provide for a graduated phase-out of assistance for families whose income has increased above the state's initial income threshold at the time of redetermination but remains below the federal threshold of 85 percent of the state median income. Providing a graduated phase-out promotes continuity by allowing for wage growth, allows for a tapered transition out of the child care subsidy program as income increases, and supports long-term self-sufficiency for families.

i. 85 percent of SMI for a family of the same size
ii. An amount lower than 85 percent of SMI for a family of the same size but above the Lead Agency's initial eligibility threshold that:

(A) Takes into account the typical household budget of a low-income family
(B) Provides justification that the second eligibility threshold is:
   (1) Sufficient to accommodate increases in family income over time that are typical for low-income workers and that promote and support family economic stability
   (2) Reasonably allows a family to continue accessing child care services without unnecessary disruption.

At redetermination, a child shall be considered eligible if his or her parents are working or attending a job training or educational program even if their income exceeds the Lead Agency's income limit to initially qualify for assistance as long as their income does not exceed the second tier of eligibility (98.21(a); 98.21(b)(1)). Note that once deemed eligible, the family shall be considered eligible for a full minimum 12-month eligibility period, even if their income exceeds the second tier of eligibility during the eligibility period, as long as it does not exceed
A family eligible for services via the graduated phase-out of assistance is considered eligible under the same conditions as other eligible families with the exception of the copayment restrictions, which do not apply to a graduated phase-out. To help families transition off of child care assistance, Lead Agencies may gradually adjust copay amounts for families whose children are determined eligible under a graduated phase-out and may require additional reporting on changes in family income. However, Lead Agencies must still ensure that any additional reporting requirements do not constitute an undue burden on families.

a) Check and describe the option that best identifies the Lead Agency's policies and procedures regarding the graduated phase-out of assistance.

☐ N/A - The Lead Agency sets its initial eligibility threshold at 85 percent of SMI and, therefore, is not required to provide a graduated phase-out period.

☒ N/A - The Lead Agency sets its exit eligibility threshold at 85 percent of SMI and, therefore, is not required to provide a graduated phase-out period.

☐ The Lead Agency sets the second tier of eligibility at 85 percent of SMI.

Describe the policies and procedures.

Provide the citation for this policy or procedure.

☐ The Lead Agency sets the second tier of eligibility at an amount lower than 85 percent of SMI for a family of the same size but above the Lead Agency's initial eligibility threshold.

Provide the second tier of eligibility for a family of three.

Describe how the second eligibility threshold:

i. Takes into account the typical household budget of a low-income family:

ii. Is sufficient to accommodate increases in family income over time that are typical for low-income workers and that promote and support family economic stability:

iii. Reasonably allows a family to continue accessing child care services without unnecessary disruption:
iv. Provide the citation for this policy or procedure:

☐ Other.

Identify and describe the components that are still pending per the instructions on CCDF Plan Response Options for Areas where Implementation is Still in Progress in the Introduction.

3.1.7 b) To help families transition from assistance, does the Lead Agency gradually adjust copays for families eligible under the graduated phase-out period?

☑ No
☐ Yes

i. If yes, describe how the Lead Agency gradually adjusts copays for families under a graduated phase-out.

ii. If yes, does the Lead Agency require additional reporting requirements during the graduated phase-out period? (Note: Additional reporting requirements are also discussed in section 3.3.3 of the plan.)

☐ No.
☐ Yes.

Describe:

3.1.8 Fluctuation in earnings.

Lead Agencies are required to demonstrate how their processes for initial determination and redetermination take into account irregular fluctuations in earnings (658E(c)(2)(N)(i)(II)). The Lead Agency must put in place policies that ensure that temporary increases in income, including temporary increases that can result in a monthly income exceeding 85 percent of SMI (calculated on a monthly basis) from seasonal employment or other temporary work schedules, do not affect eligibility or family copayments (98.21(c)). Check the processes, if applicable, that the Lead Agency uses to take into account irregular fluctuations in earnings and describe, at a minimum, how temporary increases that result in a monthly income exceeding 85 percent of SMI (calculated on a monthly basis) do not affect eligibility or family copayments.
Average the family's earnings over a period of time (i.e. 12 months).

Describe:

Pursuant to TWC Child Care Services rule 809.44(a), for the purposes of determining family income and assessing the parent share of cost, Boards must ensure that the family income is calculated in accordance with Commission guidelines that:
- take into account irregular fluctuations in earnings; and
- ensure that temporary increases in income, including temporary increases that result in monthly income exceeding 85 percent SMI, do not affect eligibility or the parent share of cost.

Request earning statements that are most representative of the family's monthly income.

Describe:

Deduct temporary or irregular increases in wages from the family's standard income level.

Describe:

Irregular fluctuations in earnings are described in TWC's guidelines in Section D-107 of TWC's Child Care Services Guide and include amounts that differ due to:
- variable work schedules without an expected number of hours per day or per week for a pay period;
- pay based solely on commissions or tips; and/or
- fixed compensation paid in different time periods such as in education; and seasonal employment.

Other.

Describe:

3.1.9 Lead Agencies are required to have procedures for documenting and verifying that children receiving CCDF funds meet eligibility criteria at the time of eligibility determination and redetermination (98.68(c)). Check the information that the Lead Agency documents and verifies and describe, at a minimum, what information is required and how often. Check all that apply.
☑ Applicant identity.

Describe:

Documentation requirements vary by Board. Examples representative of most Boards include: driver's license, birth certificate, government-issued photo ID, or US 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 that 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
- 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
- Notarized power of attorney or a sworn affidavit of temporary custody/guardianship of the child and one of the following:
  1. the caretaker's most recent IRS tax return listing the child as a dependent;
  2. 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;
  3. a letter from an ISD; or
  4. 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, citizen/immigration status).
Describe:
Acceptable documentation includes birth certificate, US passport, hospital or public health birth record, church or baptismal record (United States or its possessions), TANF, SNAP, Medicaid, or other public assistance documentation, or documentation providing 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 returns.

☐ Household composition.
Describe:
Family Size - documentation requirements vary by Board. Examples include public assistance records or tax returns.

☐ Applicant residence.
Describe:
County of Residence - documentation requirements vary by Board. Examples include utility bill, rental agreement, lease, or home title.

☐ Other.
Describe:
For families impacted by declared national or state emergencies and served through
emergency federal funds, TWC may allow Boards to waive documentation requirements as necessary for a period of no more than three months. Following the waiver period, the family must submit required documentation to determine eligibility for child care services to continue.

3.1.10 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 that 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

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

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 younger than age 6 (98.16(v); 98.33(f)).

Lead Agencies must coordinate with TANF programs to ensure 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/territory 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: TWC administers the TANF/Choices program, 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 Child Care Services rule §809.91(e); child care facilities licensed by or registered with CCl, and those operated and monitored by US military services; or family homes listed with CCL. Before authorizing child care in a CCL "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 workforce 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 the individual penalties associated with the TANF work requirements?
3.2 Increasing Access for Vulnerable Children and Families

Lead Agencies are required to give priority for child care assistance to children with special needs, which can include vulnerable populations, in families with very low incomes and to children experiencing homelessness (658E(c)(3)(B); 98.46(a)). The prioritization of CCDF assistance services is not limited to eligibility determination (i.e., the establishment of a waiting list or the ranking of eligible families in priority order to be served).

Note:
CCDF defines "child experiencing homelessness" as a child who is homeless, as defined in Section 725 of Subtitle VII-B of the McKinney-Vento Act (42 U.S.C. 11434a) (98.2).

3.2.1 Describe how the Lead Agency defines:

a) "Children with special needs":
A child with special needs is defined as a child:
- receiving, or needing to receive, protective services;
- of a qualified veteran;
- of a foster youth;
- of a parent in military deployment;
- experiencing homelessness;
- of teen parents; or
- with disabilities.

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

d) Provide the citation for the TANF policy or procedure:
TWC Choices rule §811.11(a)(2)
b) "Families with very low incomes":

Children in families with very low income are defined as children of:
- Choices participants;
- TANF applicants;
- SNAP E&T applicants; and
- parents eligible for Transitional child care.

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)).

3.2.2 Describe how the Lead Agency will prioritize or target child care services for the following children and families.

a) Identify how services are prioritized for children with special needs. Check all that apply:

- [ ] Prioritize for enrollment
- [ ] Serve without placing these populations on waiting lists
- [ ] Waive copayments
- [ ] Pay higher rates for access to higher-quality care
- [ ] Use grants or contracts to reserve slots for priority populations
- [ ] Other.

Describe:

b) Identify how services are prioritized for families with very low incomes. Check all that apply:

- [ ] Prioritize for enrollment
- [ ] Serve without placing these populations on waiting lists
- [ ] Waive copayments
- [ ] Pay higher rates for access to higher-quality care
- [ ] Use grants or contracts to reserve slots for priority populations
- [ ] Other.

Describe:
c) Identify how services are prioritized for children experiencing homelessness, as defined by the CCDF. Check all that apply:

- [x] Prioritize for enrollment
- [ ] Serve without placing these populations on waiting lists
- [x] Waive copayments
- [ ] Pay higher rates for access to higher-quality care
- [ ] Use grants or contracts to reserve slots for priority populations
- [ ] Other.

Describe:

d) Identify how services are prioritized, if applicable, for families receiving TANF program funds, those attempting to transition off TANF through work activities, and those at risk of becoming dependent on TANF (98.16(i)(4)). Check all that apply:

- [x] Prioritize for enrollment
- [x] Serve without placing these populations on waiting lists
- [x] Waive copayments
- [ ] Pay higher rates for access to higher-quality care
- [ ] Use grants or contracts to reserve slots for priority populations
- [ ] Other.

Describe:

3.2.3 List and define any other priority groups established by the Lead Agency.

A child of a qualified veteran, a foster youth, a parent in military deployment, or teen parents receives priority for child care services. These priority groups are defined as follows:

A **qualified veteran** (or qualified spouse) as defined in Texas Workforce Commission (TWC) rule §801.23 is one of the following:

(A) Federal/state qualified veteran--an individual who served in the active military, naval, or air service, and who was discharged or released from such service under conditions other than dishonorable as specified at 38 U.S.C. §101(2). Active service includes full-time duty in the National Guard or a Reserve component, other than full time for training purposes.
(B) Federal qualified spouse--the spouse of one of the following:
   (i) Any veteran who died of a service-connected disability.
   (ii) Any member of the Armed Forces serving on active duty who, at the time of
        application for assistance under this section, is listed, pursuant to 37 U.S.C. §556 and
        regulations issued thereunder, by the Secretary concerned in one or more of the following
        categories and has been so listed for a total of more than 90 days:
           (I) Missing in action;
           (II) Captured in line of duty by a hostile force; or
           (III) Forcibly detained or interned in line of duty by a foreign government or power.
   (iii) Any veteran who has a total disability resulting from a service-connected disability as
        evaluated by the Department of Veterans Affairs.
   (iv) Any veteran who died while a disability, as defined in clause (iii) of this subparagraph,
        was in existence.
(C) State qualified spouse:
   (i) A spouse who meets the definition of federal qualified spouse; or
   (ii) A spouse of any member of the armed forces who died while serving on active military,
        naval, or air service.

A parent on military deployment as defined in TWC Child Care Services rule 809.2, is a
parent on temporary duty assignment away from the permanent military installation or place
of residence for reserve components of the single military parent or dual military parents.
This includes deployed parents in the regular military, military reserves or National Guard.

An eligible foster youth, as defined in Texas Workforce Commission (TWC) rule §801.23
An eligible foster youth is a:
   (A) Current Foster Youth--A youth, age 14 or older, who is receiving substitute care
       services under the managing conservatorship of the Texas Department of Family and
       Protective Services (DFPS). This includes youth residing in private foster homes, group
       homes, residential treatment centers, juvenile correctional institutions, and relative care; or
   (B) Former Foster Youth--A youth up to 23 years of age, who formerly was under the
       managing conservatorship of DFPS, until:
       (i) the conservatorship was transferred by a court;
       (ii) the youth was legally emancipated (i.e., the youth's minority status was removed by a
            court); or
       (iii) the youth attained 18 years of age.
A **teen parent** (teen) is an individual 18 years of age or younger, or 19 years of age and attending high school or the equivalent, who has a child.

3.2.4 Describe how the Lead Agency prioritizes services for the additional priority groups identified in 3.2.3.

Children in priority groups are served in the priority order defined in TWC Child Care Services rule §809.43(a).

1. The first priority group is assured child care services and includes children of parents eligible for the following:
   - Choices child care
   - TANF Applicant child care
   - SNAP E&T child care
   - Transitional (former Choices) child care
2. The second priority group is served subject to the availability of funds and includes, in the order of priority:
   - Children who need to receive protective services child care
   - Children of a qualified veteran or qualified spouse
   - Children of a foster youth
   - Children experiencing homelessness
   - Children of parents on military deployment whose parents are unable to enroll in military-funded child care assistance programs
   - Children of teen parents
   - Children with disabilities
3. The third priority group includes any other priority adopted by a Board.

3.2.5 Lead Agencies are required to expend CCDF funds to (1) permit the enrollment (after an initial eligibility determination) of children experiencing homelessness while required documentation is obtained, (2) provide training and TA to child care providers and the appropriate Lead Agency (or designated entity) staff on identifying and serving homeless children and families (addressed in section 6), and (3) conduct specific outreach to homeless families (658E(c)(3); 98.51).
a) Describe the procedures to permit the enrollment of children experiencing homelessness while required documentation is obtained.

For children experiencing homelessness, TWC Child Care Services rule:
- §809.19 exempts the family from the parent share of cost; and
- §809.52 requires that the child is initially enrolled for a period of three months to allow the parent to provide documentation verifying the child's eligibility.

Additionally, HHSC CCL regulations provide a 30-day grace period to comply with immunization and other health and safety requirements.

b) Check, where applicable, the procedures used to conduct outreach for children experiencing homelessness (as defined by CCDF Rule) and their families.

- [ ] Lead Agency accepts applications at local community-based locations
- [ ] Partnerships with community-based organizations
- [ ] Partnering with homeless service providers, McKinney-Vento liaisons, and others who work with families experiencing homelessness to provide referrals to child care
- [ ] Other

Boards coordinate with local homeless shelters and organizations serving homeless families. Boards also work with local ISDs 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).

**Note:** The Lead Agency shall pay any amount owed to a child care provider for services provided as a result of the initial eligibility determination, and any CCDF payment made prior to the final eligibility determination shall not be considered an error or improper payment (98.51(a)(1)(ii)).

3.2.6 Lead Agencies must establish a grace period that allows homeless children and children in foster care to receive CCDF assistance while providing their families with a reasonable time to take any necessary actions to comply with immunization and other health and safety requirements (as described in section 5). The length of such a grace period shall be established in consultation with the state, territorial, or tribal health agency (658E(c)(2)(I)(I); 98.41(a)(1)(I)(C)).
Note:  
Any payment for such a child during the grace period shall not be considered an error or improper payment (98.41(a)(1)(i)(C)(2)).

a) Describe procedures to provide a grace period to comply with immunization and other health and safety requirements, including how the length of the grace period was established in consultation with the state, territorial, or tribal health agency for:

Children experiencing homelessness (as defined by Lead Agency's CCDF)
TWC's Child Care Services rule §809.2(6) defines a child experiencing homelessness as "A child who is homeless as defined in the McKinney-Vento Act (42 U.S.C. 11434(a)), Subtitle VII-B, §725."

CCL regulations provide a 30-day grace period to comply with immunization and other health and safety requirements.

Provide the citation for this policy and procedure.
40 TAC Chapter 746 Minimum Standards for Child-Care Centers rule §746.613(c) includes the following provision: "All immunizations required for the child's age must be completed by the date of admission, unless: (2) the child is homeless or a child in foster care and is provisionally admitted for up to 30 days if evidence of immunization is not available."

Children who are in foster care.
For children who are in foster care, CCL regulations provide a 30-day grace period to comply with immunization and other health and safety requirements.

Provide the citation for this policy and procedure.
40 TAC Chapter 746 Minimum Standards for Child-Care Centers rule §746.613(c) includes the following provision: "All immunizations required for the child's age must be completed by the date of admission, unless: (2) the child is homeless or a child in foster care and is provisionally admitted for up to 30 days if evidence of immunization is not available."

b) Describe how the Lead Agency coordinates with licensing agencies and other relevant state, territorial, tribal, and local agencies to provide referrals and support to help families
with children receiving services during a grace period comply with immunization and
other health and safety requirements (98.41(a)(1)(i)(C)(4)).
As described in Section H-101 of the TWC Child Care Services Guide, Boards must
ensure that consumer education information, including information provided through a
Board’s website, contains, at a minimum, information on the prevention and control of
infectious diseases (including immunizations).

c) Does the Lead Agency establish grace periods for other children who are not
experiencing homelessness or in foster care?

☐ No.
☐ Yes.

Describe:

3.3 Protection for Working Families

3.3.1 12-Month eligibility.

The Lead Agency is required to establish a minimum 12-month eligibility and redetermination
period, regardless of changes in income (as long as the income does not exceed the federal
threshold of 85 percent of the state median income) or temporary changes in participation in
work, training, or educational activities (658E(c)(2)(N)(i) and (ii)).

This change means that a Lead Agency 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 percent of SMI. The Lead Agency may not
terminate assistance prior to the end of the 12-month period if a family experiences a temporary
job loss or a temporary change in participation in a training or educational activity. A temporary
change in eligible activity includes, at a minimum, any time-limited absence from work for an
employed parent due to such reasons as the need to care for a family member or an illness;
any interruption in work for a seasonal worker who is not working; any student holiday or break
for a parent participating in a training or educational program; any reduction in work, training, or
education hours, as long as the parent is still working or attending a training or educational
program; any other cessation of work or attendance at a training or educational program that
does not exceed 3 months or a longer period of time established by the Lead Agency; a child
turning 13 years old during the 12-month eligibility period (except as described in 3.1.1); and
any changes in residency within the state, territory, or tribal service area.

a) Describe the Lead Agency’s policies and procedures in implementing the minimum 12-month eligibility and redetermination requirements, including when a family experiences a temporary change in activity.

TWC Child Care Services rule §809.42(b) requires that Boards ensure that eligibility for child care services shall be redetermined no sooner than 12 months following the initial determination or most recent redetermination.

TWC Child Care Services rule §809.51(a) states that if the child met all of the applicable eligibility requirements for child care services on the date of the most recent eligibility determination or redetermination, the child shall be considered to be eligible and will receive services during the 12-month eligibility period described in TWC Child Care Services rule §809.42, regardless of any: (1) change in family income, if that family income does not exceed 85 percent of SMI for a family of the same size; or (2) temporary change in the ongoing status of the child’s parent as working or attending a job training or education program.

b) How does the Lead Agency define "temporary change?"

"Temporary change" is defined as a change in the ongoing status of the child's parent as working or attending a job or education program. Boards must be aware that temporary changes in the ongoing status of a child's parent as working or attending a job training or education program include, at a minimum, any:

- time-limited absence from work for an employed parent for periods of family leave (including parental leave) or sick leave;
- interruption in work for a seasonal worker who is not working between regular industry work seasons;
- student holiday or break for a parent participating in training or education;
- reduction in work, training or education hours, as long as the parent is still working or attending a training or education program;
- other cessation of work or attendance in training or in an education program that does not exceed three months;
- change in age, including 13 years old or a child with disabilities turning 19 years old during the eligibility period; and
- change in residency within the state.
3.3.2 Option to discontinue assistance during the 12-month eligibility period.

Lead Agencies have the option, but are not required, to discontinue assistance during the 12-month eligibility period due to a parent’s non-temporary loss of work or cessation of attendance at a job training or educational program, otherwise known as a parent’s eligible activity (i.e., if the parent experiences a temporary change in his or her status as working or participating in a training or educational program, as described in section 3.3.1 of the plan).

If the Lead Agency chooses the option to discontinue assistance due to a parent's non-temporary loss or cessation of eligible activity, it must continue assistance at least at the same level for a period of not fewer than 3 months after each such loss or cessation for the parent to engage in a job search and to resume work or resume attendance in a job training or educational program. At the end of the minimum 3-month period of continued assistance, if the parent has engaged in a qualifying work, training, or educational program activity with an income below 85 percent of SMI, assistance cannot be terminated, and the child must continue receiving assistance until the next scheduled redetermination or, at the Lead Agency option, for an additional minimum 12-month eligibility period.

a) Does the Lead Agency choose to discontinue assistance during the 12-month eligibility period due to a parent's non-temporary loss or cessation of eligible activity and offer a minimum 3-month period to allow parents to engage in a job search and to resume participation in an eligible activity?

☐ No, the state/territory does not allow this option to discontinue assistance during the 12-month eligibility period due to a parent's non-temporary loss of work or cessation of attendance at a job training or educational program.

☑ Yes, the Lead Agency discontinues assistance during the 12-month eligibility period due to a parent's non-temporary loss of work or cessation of eligible activity and provides a minimum 3-month period of job search. If yes:

i. Provide a summary describing the Lead Agency’s policies and procedures for discontinuing assistance due to a parent's non-temporary change:

If a family experiences a non-temporary cessation of activity in the first nine months of their 12-month eligibility period, Boards must ensure that child care continues for a minimum of three months before terminating child care, to allow the parent to...
resume participation in an activity. The parent’s status in work or training are redetermined as part of eligibility redetermination which may occur no sooner than 12 months from the most recent eligibility determination.

ii. Describe what specific actions/changes trigger the job-search period.
The job search period is triggered based on parent self-report of permanent cessations of activity based or identification through other data sources (UI early warning report) subject to verification with the parent. The parent is only required to report a permanent cessation of activity. The 3-month activity interruption for job search begins the day after the activity ends and is tracked in TWIST. If the parent does not report a permanent cessation that has already exceeded three months and the Board contractor discovers that one has occurred, care must be terminated after proper notice is provided to the parent. Prior to making a determination to end care, it must be verified that the parent has not resumed participation in any activity at any level.

iii. How long is the job-search period (must be at least 3 months)?
Care must continue at the same level for a period of not less than three months after loss of work or cessation of attendance at a job training or educational program.

iv. Provide the citation for this policy or procedure.
Child Care Services rule §809.51(b)

b) The Lead Agency may discontinue assistance prior to the next 12-month redetermination in the following limited circumstances. Check and describe any circumstances in which the Lead Agency chooses to discontinue assistance prior to the next 12-month redetermination. Check all that apply.

☐ Not applicable.
☒ Excessive unexplained absences despite multiple attempts by the Lead Agency or designated entity to contact the family and provider, including the prior notification of a possible discontinuation of assistance.

i. Define the number of unexplained absences identified as excessive:
If a child has exceeded 40 total unexplained absences during the most recent eligibility period, then the child shall be terminated from care due to excessive
unexplained absences. Exceptions are provided for court-ordered visitation, documented chronic illness or disability. Additionally, notice must be provided to the parent prior to terminating care regarding the potential termination when the child reaches five consecutive and 15 and 30 cumulative absences, to allow for the parent to explain the absences or determine if a voluntary suspension may be appropriate.

ii. Provide the citation for this policy or procedure:
Child Care Services rule §809.78(a)(3) and §809.78(c)

☑️ A change in residency outside of the state, territory, or tribal service area.

Provide the citation for this policy or procedure:
Section D-801 of the TWC Child Care Services Guide requires that Boards terminate child care services when a family experiences a change in residency outside of the state.

☑️ Substantiated fraud or intentional program violations that invalidate prior determinations of eligibility.

Describe the violations that lead to discontinued assistance and provide the citation for this policy or procedure.

As described in Section G of the TWC Child Care Services Guide, and in TWC Child Care Services rules §§809.111 through 809.112, the following parental actions may be grounds for suspected fraud and cause for Boards to conduct fraud fact-finding:
- Not reporting or falsely reporting at initial eligibility or at eligibility redetermination:
  1. household composition or income sources or amounts that would have resulted in ineligibility or a higher parent share of cost; and/or
  2. work, training or education hours that would have resulted in ineligibility.
- Not reporting during the 12-month eligibility period:
  1. changes in income or household composition that would cause the family income to exceed 85 percent SMI (taking temporary fluctuations of income into consideration);
  2. a permanent loss of job or cessation of training or education that exceeds three months; and/or
  3. improper or inaccurate attendance reporting.

These violations may result in the following actions:
- Recouping funds from the parent
- Prohibiting future child care eligibility until a recoupment is repaid in full, provided the prohibition does not result in a Choices or SNAP E&T participant becoming
ineligible
- Limiting the enrollment of the parent’s child to a regulated child care provider
- Terminating care during the 12-month eligibility period if eligibility was determined using fraudulent information provided by the parent
- Any other action consistent with the intent of the governing statutes or regulations to investigate, prevent, or stop suspected fraud

As described in TWC Child Care Services rule §809.19(d), failure to pay the parent share of cost may constitute an intentional program violation and result in termination of care. Boards must establish local policies regarding evaluating each family’s financial situation and a possible temporary reduction in the parent share of cost based on extenuating circumstances before terminating care. Parents must also receive written notice of possible termination due to failure to pay the parent share of cost prior to services being terminated.

3.3.3 Change reporting during the 12-month eligibility period.

The Lead Agency must describe the requirements for parents to report changes in circumstances during the 12-month eligibility period and describe efforts to ensure that such requirements do not place an undue burden on eligible families, which could impact the continuity of care for children and stability for families receiving CCDF services (98.16(h)(1)).

Note: Responses should exclude reporting requirements for a graduated phase-out, which were described in question 3.1.7(b).

Families are required to report a change to the Lead Agency at any time during the 12-month eligibility period if the family’s income exceeds 85 percent of the state median income, taking into account irregular fluctuations in income (98.21(e)(1)). If the Lead Agency chooses the option to terminate assistance, as described in section 3.3.2 of the plan, they may require families to report a non-temporary change (as described in section 3.3.3 of the plan) in work, training or educational activities (otherwise known as a parent's eligible activity).

a) Does the Lead Agency require families to report a non-temporary change in a parent's eligible activity?

☐ No
b) Any additional reporting requirements during the 12-month eligibility period must be limited to items that impact a family's eligibility (e.g., income changes over 85 percent of SMI or that impact the Lead Agency's ability to contact the family or pay the child care providers (e.g., a family's change of address, a change in the parent's choice of child care provider).

Check and describe any additional reporting requirements required by the Lead Agency during the 12-month eligibility period. Check all that apply.

☑ Additional changes that may impact a family's eligibility during the 12-month period.
Describe:
As described in TWC Child Care Services rule §809.73, families are required to report the following to the child care contractor within 14 calendar days of occurrence:
- Changes in family income or family size that would cause the family to exceed 85 percent SMI for a family of the same size
- Changes in work or attendance at a job training or an education program that are not considered to be temporary changes

☑ Changes that impact the Lead Agency's ability to contact the family.
Describe:
As described in TWC Child Care Services rule §809.73, families are required to report the following to the child care contractor within 14 calendar days of occurrence: Any changes in family residence, primary phone number, or e-mail address (if applicable).

☑ Changes that impact the Lead Agency's ability to pay child care providers.
Describe:
Boards must ensure that during the 12-month eligibility period, parents are only required to report items that impact the family's eligibility or that enable the Board or Board contractor to contact the family or pay the provider.

Any additional reporting requirements that the Lead Agency chooses, as its option to require from parents during the 12-month eligibility period, shall not require an office visit. In addition, the Lead Agency must offer a range of notification options to
accommodate families.

c) How does the Lead Agency allow for families to report changes to ensure that reporting requirements are not burdensome and to avoid an impact on continued eligibility between redeterminations? Check all that apply.

- ☑ Phone
- ☑ Email
- ☑ Online forms
- ☑ Extended submission hours
- ☑ Postal Mail
- ☑ FAX
- ☑ In-person submission
- ☑ Other.

Describe:
Each Board has flexibility in determining how documentation for redetermination is received, in a manner that reduces disruptions to employment, education, or training activities for families redetermining their eligibility for child care services. Examples of ways that documentation may be received include mail, email, online recertification applications with document upload capabilities, fax, and in person.

d) Families must have the option to voluntarily report changes on an ongoing basis during the 12-month eligibility period. Lead Agencies are required to act on information reported by the family if it will reduce the family’s co-payment or increase the family’s subsidy. Lead Agencies are prohibited from acting on information reported by the family that would reduce the family’s subsidy unless the information reported indicates that the family’s income exceeds 85 percent of SMI after considering irregular fluctuations in income or, at the option of the Lead Agency, the family has experienced a non-temporary change in eligible activity.

i. Describe any other changes that the Lead Agency allows families to report.
Parents can report at any time, and child care contractors must take appropriate action regarding the following changes: income and family size, which may result in a reduction in the parent share of cost; or work, job training, or education program participation that may result in an increase in the level of child care services.

ii. Provide the citation for this policy or procedure.
Section E-302 of the TWC Child Care Services Guide and Child Care Services rule
3.3.4 Prevent the disruption of employment, education, or job training activities

Lead Agencies are required to have procedures and policies in place to ensure that parents (especially parents receiving assistance under the TANF program) are not required to unduly disrupt their employment, education, or job training activities to comply with the Lead Agency’s or designated local entity’s requirements for the redetermination of eligibility for assistance (658E(c)(2)(N)(ii); 98.21(d)).

Examples include developing strategies to inform families and their providers of an upcoming redetermination and the information that will be required of the family, pre-populating subsidy renewal forms, having parents confirm that the information is accurate, and/or asking only for the information necessary to make an eligibility redetermination. In addition, states and territories can offer a variety of family-friendly methods for submitting documentation for eligibility redetermination that considers the range of needs for families in accessing support (e.g. use of languages other than English, access to transportation, accommodation of parents working non-traditional hours, etc.).

a) Identify, where applicable, the Lead Agency’s procedures and policies to ensure that parents (especially parents receiving TANF program funds) do not have their employment, education, or job training unduly disrupted to comply with the state/territory’s or designated local entity’s requirements for the redetermination of eligibility.

- Advance notice to parents of pending redetermination
- Advance notice to providers of pending redetermination
- Pre-populated subsidy renewal form
- Online documentation submission
- Cross-program redeterminations
- Extended office hours (evenings and/or weekends)
- Other.

Describe:

TWC Local Workforce Development Board rule 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 telephone conferencing. Boards do not require working parents to come to Workforce Solutions Offices to submit eligibility documentation. Boards accept documentation by fax, mail, or email. 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.

b) How are families allowed to submit documentation, described in 3.1.9, for redetermination? Check all that apply.

- [x] Postal Mail
- [x] Email
- [x] Online forms
- [x] FAX
- [x] In-person submission
- [x] Extended submission hours
- [x] Other.

Describe:
Each Board has flexibility in determining how documentation for redetermination is received, in a manner that reduces disruptions to employment, education or training activities for families re-determining their eligibility for child care services. Examples of ways that documentation may be received include mail, email, online recertification applications with document upload capabilities, fax, and in person.

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### 3.4 Family Contribution to Payments

Lead Agencies are required to establish and periodically revise a sliding-fee scale for CCDF families that varies based on income and the size of the family to determine each family's contribution (i.e., co-payment) that is not a barrier to families receiving CCDF funds (658E(c)(5)). In addition to income and the size of the family, the Lead Agency may use other factors when determining family contributions/co-payments. Lead Agencies, however, may NOT use cost of care or amount of subsidy payment in determining copayments (98.45(k)(2)).
Note: To help families transition off of child care assistance, Lead Agencies may gradually adjust co-pay amounts for families determined to be eligible under a graduated phase-out. However, section 3.4 applies only to families in their initial/entry eligibility period. See section 3.1.7 Graduated Phase-Out regarding co-pays during the graduated phase-out period.

3.4.1 Provide the CCDF co-payments in the chart below according to family size for one child in care.

a) Fill in the chart based on the most populous area of the State (area serving highest number of CCDF children).

<table>
<thead>
<tr>
<th>Family Size</th>
<th>(a) Lowest Initial or First Tier Income Level Where Family Is First Charged Co-Pay (Greater Than $0)</th>
<th>(b) What Is the Monthly Co-Payment for a Family of This Size Based on the Income Level in (a)?</th>
<th>(c) The Co-Payment in Column (b) is What Percentage of the Income in Column (a)?</th>
<th>(d) Highest Initial or First Tier Income Level Before a Family Is No Longer Eligible</th>
<th>(e) What Is the Monthly Co-Payment for a Family of This Size Based on the Income Level in (d)?</th>
<th>(f) The Co-Payment in Column (e) is What Percentage of the Income in Column (d)?</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>2</td>
<td>$686</td>
<td>$12</td>
<td>1.7%</td>
<td>$2,707</td>
<td>$330</td>
<td>12.0%</td>
</tr>
<tr>
<td>3</td>
<td>$866</td>
<td>$12</td>
<td>1.3%</td>
<td>$3,403</td>
<td>$330</td>
<td>9.5%</td>
</tr>
<tr>
<td>4</td>
<td>$1046</td>
<td>$12</td>
<td>1.1%</td>
<td>$4,100</td>
<td>$330</td>
<td>7.9%</td>
</tr>
<tr>
<td>5</td>
<td>$1226</td>
<td>$12</td>
<td>1.0%</td>
<td>$4,797</td>
<td>$330</td>
<td>6.7%</td>
</tr>
</tbody>
</table>

b) What is the effective date of the sliding-fee scale(s)? October 1, 2018
c) Identify the most populous area of the state used to complete the chart above.
   - Gulf Coast Workforce Development Area
d) Provide the link to the sliding-fee scale: http://www.twc.state.tx.us/students/child-care-development-fund-state-plans
e) If the sliding-fee scale is not statewide, describe how many jurisdictions set their own sliding-fee scale (98.16(i)(3)).
The 28 Boards establish parent share of cost amounts.

3.4.2 How will the family's contribution be calculated, and to whom will it be applied? Check all that apply.

- [ ] The fee is a dollar amount and:
  - [ ] The fee is per child, with the same fee for each child.
  - [ ] The fee is per child and is discounted for two or more children.
  - [ ] The fee is per child up to a maximum per family.
  - [ ] No additional fee is charged after certain number of children.
  - [ ] The fee is per family.
- [ ] The contribution schedule varies because it is set locally/regionally (as indicated in 1.2.1).

Describe:

Boards must have a policy that provides for the parent share of cost:
- being assessed to all parents, except those who are parents of a child receiving Child Care for Children Experiencing Homelessness; and
- being an amount determined on a sliding fee scale based on family size and gross monthly income (number of children in care may also be considered).

Boards must ensure that the sliding fee scale is based on family size and gross family income expressed as a percent of the FPG or SMI for the appropriate fiscal year.

In establishing the parent share of cost policy, Boards also may consider the number of children in care by including an additional amount for each additional child in care.

Consistent with CCDF regulations at §98.45(k), Boards must ensure that the parent share of cost policy does not consider the cost of care or the amount of the provider reimbursement.

Teen parents not covered under the exceptions defined below (response 3.4.3) must be assessed a parent share of cost, solely based on the teen parent's income and family size. If the parent share of cost, based on income and family size, is
calculated to be zero, then the Board or its child care contractor must not charge the parent any minimum share of cost amount.

☐ Other.
Describe:

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

☐ Other.
Describe:

3.4.3 Does the Lead Agency use other factors in addition to income and family size to determine each family's co-payment (658E(c)(3)(B))? Reminder ' Lead Agencies may NOT use cost of care or amount of subsidy payment in determining copayments (98.45(k)(2)).

☐ No.
☑ Yes, check and describe those additional factors below.
  ☐ Number of hours the child is in care.
  Describe:

☐ Lower co-payments for a higher quality of care, as defined by the state/territory.
Describe:
TWC Child Care Services rule §809.19(g) allows Boards to reduce the assessed parent share of cost upon the parent's selection of a TRS-certified provider.

☐ Other.
Describe:

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 (98.45(k)) or for families who are receiving or needing to receive protective services, as determined for purposes of CCDF eligibility, or who meet other criteria established by the Lead Agency (98.45(k)(4)). Does the Lead Agency waive family contributions/co-payments for any of the following? Check all that apply.

☐ No, the Lead Agency does not waive family contributions/co-payments.
☐ Yes, the Lead Agency waives family contributions/co-payments for families with an income at or below the poverty level for families of the same size.
☒ Yes, the Lead Agency waives family contributions/co-payments for families who are receiving or needing to receive protective services, as determined by the Lead Agency for purposes of CCDF eligibility.
Describe the policy and provide the policy citation.
As described in TWC Child Care Services rule §809.19(a)(D)(2), TWC waives the parent share of cost for parents eligible for:
- Choices Child Care
- SNAP E&T Child Care
- Child Care for a Child Experiencing Homelessness
- Protective Services Child Care (unless DFPS assesses a fee to the parent)
In addition, as described in TWC Child Care Services rule §809.19(f), parents with zero countable income are also not assessed a family copayment.

☐ Yes, the Lead Agency waives family contributions/co-payments for other criteria established by the Lead Agency.
Describe the policy and provide the policy citation.
4 Ensure Equal Access to Child Care for Low-Income Children

A core purpose of CCDF is to promote parental choice and to empower working parents to make their own decisions regarding the child care services that best suit their family's needs. Parents have the option to choose from center-based care, family child care or care provided in the child's own home. In supporting parental choice, the Lead Agencies must ensure that families receiving CCDF funding have the opportunity to choose from the full range of eligible child care settings and must provide families with equal access to child care that is comparable to that of non-CCDF families. Lead Agencies must employ strategies to increase the supply and to improve the quality of child care services, especially in underserved areas. This section addresses strategies that the Lead Agency uses to promote parental choice, ensure equal access, and increase the supply of child care. Note: In responding to questions in this section, the Office of Child Care (OCC) recognizes that each State/Territory identifies and defines its own categories and types of care. The OCC does not expect States/Territories to change their definitions to fit the CCDF-defined categories and types of care. For these questions, provide responses that closely match the CCDF categories of care.

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 receiving a child care certificate or, if available, enrolling his or her child with a provider that has a grant or contract for providing child care services (658E(c)(2)(A); 98.30(a)). Even if a parent chooses to enroll his or her child with a provider who has a grant or contract, the parent will select the provider, to the extent practicable. If a parent chooses to use a certificate, the Lead Agency shall provide information to the parent on the range of provider options, including care by sectarian providers and relatives. Lead Agencies must require providers chosen by families to meet health and safety standards and has the option to require higher standards of quality. Lead agencies are reminded that any policies and procedures should not restrict parental access to any type of care or provider (e.g. center care, home care, in-home care, for-profit provider, non-profit provider or faith-based provider, etc.) (98.15 (a)(5)).
4.1.1 Describe the child care certificate, including when it is issued to parents (before or after the parent has selected a provider) and what information is included on the certificate (98.16 (q)).

Upon eligibility determination, eligible parents receive a child care certificate. The parent may have already selected a provider but is not required to do so before receiving the certificate (Notification of Eligibility for Child Care Services). As described in Section D-1004 of TWC’s Child Care Services Guide, Boards must ensure that certificates/notification packets contain the following elements at a minimum:

- A written eligibility notification, which must contain at a minimum:
  1. Congratulatory opening statement
  2. Requirement that the parent select a provider within 14 days or contact the Child Care Services program if the parent requires assistance finding a provider
  3. Specific eligibility reasons/elements*
  4. Calculated monthly income including all income sources used to determine eligibility*
  5. Household composition (family size)*
  6. Parent share of cost amount*
  7. 85% SMI information*

- Requirements regarding changes to report

- Parent’s right information, which must contain at a minimum:
  1. The basic rights listed in the TWC Sample Parent Rights form (Child Care Service Guide, Appendix J)
  2. A statement that by selecting a provider and entering into care, the parent acknowledges they have read and understood the information about parent rights
  3. Parent agreement to report attendance, which must contain at a minimum:
    - Information on the state attendance standards that the parent agrees to follow and the state-defined consequences for not meeting the standards
    - Information on attendance reporting and responsibilities
  4. Parent information for choosing a provider, which must contain at a minimum:
    - Information on parent choice, including types of providers available
    - Information on choosing a quality provider, including information about Texas Rising Star providers
    - Information on how to access Texas Child Care Licensing (CCL) provider compliance/inspection information

*These elements included on TWIST Child Care Form 2050.
### 4.1.2 Describe how the parent is informed that the child certificate allows the option to choose from a variety of child care categories, such as private, not-for-profit, faith-based providers; centers; FCC homes; or in-home providers (658E(c)(2)(A)(i); 658P(2); 658Q). Check all that apply.

- Certificate that provides information about the choice of providers
- Certificate that provides information about the quality of providers
- Certificate not linked to a specific provider, so parents can choose any provider
- 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 the application
- Community outreach, workshops, or other in-person activities
- Other.

Describe:

TWC and Boards use the following:
Consumer education materials (flyers, forms, brochures), verbal communication at the time of application, agency-for example, HHSC’s CCL and 2-1-1 Texas-and Board websites. There are multiple points of communication throughout 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;
- CCL's website and telephone number, so parents can be aware of health and safety requirements for regulated child care providers; and
- information about 2-1-1 Texas.

Also, 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 to be paid in the certificate program.

☐ No. If no, skip to 4.1.4.

☐ Yes, in some jurisdictions but not statewide.

If yes, describe how many jurisdictions use grants or contracts for child care slots.

☐ Yes, statewide. If yes, describe:

i. How the Lead Agency ensures that parents who enroll with a provider who has a grant or contract have choices when selecting a provider:

ii. The type(s) of child care services available through grants or contracts:

iii. The entities that receive contracts (e.g., shared services alliances, CCR&R agencies, FCC networks, community-based agencies, child care providers):

iv. The process for accessing grants or contracts:
v. How rates for contracted slots are set through grants and contracts:

vi. How the Lead Agency determines which entities to contract with for increasing supply and/or improving quality:

vii. If contracts are offered statewide and/or locally:

4.1.3 Child care services available through grants or contracts.

b) Will the Lead Agency use grants or contracts for child care services to increase the supply and/or quality of specific types of care? Check all that apply.

☐ 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 children experiencing homelessness
☐ 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
  Texas does not use grants or contracts for direct child care services.

4.1.3 Child care services available through grants or contracts.

c) Will the Lead Agency use grants or contracts for child care services to increase the quality of specific types of care? Check all that apply.

☐ 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
Texas does not use grants or contracts for direct child care services.

4.1.4 Certify by describing the Lead Agency’s procedures for ensuring that parents have unlimited access to their children whenever their children are in the care of a provider who receives CCDF funds (658E(c)(2)(B); 98.16(t)).

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 (98.16(i)(2)). 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 the number of children in the care of the provider to meet the Fair Labor Standards Act (minimum wage) requirements. Describe:

☐ Restricted based on the provider meeting a minimum age requirement. (A relative provider must be at least 18 years of age based on the definition of eligible child care provider (98.2). Describe:

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

☐ Restricted based on the hours of care (i.e., 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 relative providers.

☐ Restricted to care for children with special needs or a medical condition. Describe:

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

☐ Restricted to in-home providers that meet additional health and safety requirements beyond those required by CCDF. Describe:

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

Other.

Describe:
A Board may allow 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.

4.2 Assessing Market Rates and Child Care Costs

Lead Agencies have the option to conduct a statistically valid and reliable (1) market rate survey (MRS) reflecting variations in the price to parents of child care services by geographic area, type of provider, and age of child and/or (2) an alternative methodology, such as a cost estimation model (658E(c)(4)(B)). A cost estimation model estimates the cost of care by incorporating both data and assumptions to model what expected costs would be incurred by child care providers and parents under different cost scenarios. Another approach would be a cost study that collects cost data at the facility or program level to measure the costs (or inputs used) to deliver child care services. The MRS or alternative methodology must be developed and conducted no earlier than 2 years before the date of submission of the Plan.

Note - Any Lead Agency considering using an alternative methodology, instead of a market rate survey, is required to submit a description of its proposed approach to its ACF Regional Child Care Program Office for pre-approval in advance of the Plan submittal (see https://www.acf.hhs.gov/occ/resource/ccdf-acf-pi-2016-08). Advance approval is not required if the Lead Agency plans to implement both a market rate survey and an alternative methodology. In its request for ACF pre-approval, a Lead Agency must:

- Provide an overview of the Lead Agency’s proposed approach (e.g., cost estimation model, cost study/survey, etc.), including a description of data sources.

- Describe how the Lead Agency will consult with the State’s Early Childhood Advisory Council or similar coordinating body, local child care program administrators, local child care resource and referral agencies, organizations representing child care caregivers, teachers and directors, and other appropriate entities prior to conducting the identified alternative methodology.

- Describe how the alternative methodology will use methods that are statistically valid and
reliable and will yield accurate results. For example, if using a survey, describe how the Lead Agency will ensure a representative sample and promote an adequate response rate. If using a cost estimation model, describe how the Lead Agency will validate the assumptions in the model.

- If the proposed alternative methodology includes an analysis of costs (e.g., cost estimation model or cost study/survey), describe how the alternative methodology will account for key factors that impact the cost of providing care such as: staff salaries and benefits, training and professional development, curricula and supplies, group size and ratios, enrollment levels, licensing requirements, quality level, facility size, and other factors.

- Describe how the alternative methodology will provide complete information that captures the universe of providers in the child care market.

- Describe how the alternative methodology will reflect variations by provider type, age of children, geographic location and quality.

- Describe how the alternative methodology will use current, up to date data.

- Describe the estimated reporting burden and cost to conduct the approach.

4.2.1 Please identify the methodology(ies) used below to assess child care prices and/or costs.

- MRS
- Alternative methodology.
- Both.

4.2.2 Prior to developing and conducting the MRS or alternative methodology, the Lead Agency is required to consult with the (1) State Advisory Council or similar coordinating body, local child care program administrators, local child care resource and referral agencies, and other appropriate entities and (2) organizations representing caregivers, teachers, and directors (98.45 (e)).
Describe how the Lead Agency consulted with the:

a) State Advisory Council or similar coordinating body:
TWC solicited comment on the draft MRS implementation plan and survey questionnaires from Boards, CCL, TEA, CLI, and multiple child care policy and advocacy groups.

b) Local child care program administrators:
TWC solicited comment on the draft MRS implementation plan and survey questionnaires from providers that serve subsidized children.

c) Local child care resource and referral agencies:
TWC solicited comment on the draft MRS implementation plan and survey questionnaires from Boards and contractors that provide CC R&R services.

d) Organizations representing caregivers, teachers, and directors:
TWC solicited comment on the draft MRS implementation plan and survey questionnaires from the Texas Licensed Child Care Association.

e) Other. Describe:
After the vendor submitted their MRS implementation plan, which included the MRS statistical methodology and process, TWC provided a copy of the plan process and the draft MRS survey questionnaire to the above stakeholders. Stakeholders had 30 days to review and comment. TWC reviewed the comments with the vendor and incorporated changes as appropriate. TWC responded to all comments and included the questions and responses in the narrative in the MRS final report.

4.2.3 Describe how the market rate survey is statistically valid and reliable. To be considered valid and reliable, the MRS must represent the child care market, provide complete and current data, use rigorous data collection procedures, reflect geographic variations, 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 methods.

Of the 3,531 eligible child care providers surveyed in 2018, 2,091 (59.2%) completed the survey. This overall response rate reflects the same pattern seen in previous years in which homes have lower response rates than centers. The overall response rate for homes was 43.2% and the overall response rate for centers was 73.3%.

Data Source and Sample Population
TWC contracts with the Texas Institute for Child and Family Wellbeing (TXICFW) in partnership with the Ray Marshall Center for the Study of Human Resources (RMC) to conduct the Texas Child Care MRS. A month before the surveys begins, RMC obtains a list of all licensed centers and licensed and registered homes from HHSC’s CCL 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 facility sample for the 2018 MRS was determined from a list of 15,258 facilities obtained from DFPS in August 2017. 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 randomly selected facilities was used 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 50 independent rate observations in fulltime rate categories.

Projections based on detailed response rates to the last three annual surveys indicated that, on average, 102 LCCCs, 17 LCCHs, and 82 RCCHs per workforce area were needed to reach this goal. These target numbers were then increased by between 1 percent and 10 percent for LWDA and facility type combinations that showed low response rates in recent surveys. The target number of facilities was then randomly selected from each workforce area, or if fewer providers were available in any given combination of LWDA and facility type, the entire population was selected (a complete census).

Implementation of this sampling scheme resulted in all facilities of any type being selected
from seven workforce areas. In addition to these seven, a complete census of LCCCs was necessary in four more workforce areas, a complete census of LCCHs was necessary in two more workforce areas, and a complete census of RCCHs was necessary in thirteen more workforce areas.

Before the survey sample was finalized, a match was performed between the list of sampled facilities and a database indicating which facilities were serving subsidized children, whose rates were already known because they had been agreed upon. These partially subsidized facilities were randomly split into two groups, with one half being retained in the sample and the other half set aside to be excluded from further study. The net effect of these two changes, including the increased target described above and the removal of half of the subsidized facilities, was a nine percent reduction in the total survey sample, compared to prior years, but the resulting survey sample itself is more heavily inclusive of non-subsidized facilities. Another way of describing this is as an under-sample of subsidized facilities, whose rate data are largely redundant with existing data sources, and a corresponding over-sample of non-subsidized facilities, whose rates constitute the bulk of the paid market and are not otherwise available without surveying. Despite the reduced overall sample size for the survey portion, both subsidized and nonsubsidized rates are estimated with greater precision than in prior years’ surveys.

Before final rates were estimated, data from the statewide sample were added to that from the local samples in their respective areas, as well as the subsidized rate data, and weighting schemes were applied as appropriate (see Appendix A). The number of rate observations collected by this design was more than adequate to provide stable rate estimates for all workforce areas, without needing to rely on rates from adjacent areas or any other kinds of estimates or approximations.

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, TXICFW conducted the surveys by telephone interview
from October 2017 to May 2018. 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. Most of the interviews were conducted in English, bilingual research staff members (five English/Spanish and one English/Vietnamese) also conducted interviews with centers and homes. In addition to the percentage of children enrolled who 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 (for example, sectarian/nonsectarian, community-based, for-profit/nonprofit); and
- national accreditation or Texas Rising Star (TRS) provider status

Daily market rates for licensed centers were captured for all categories of care offered, regardless of whether any children were 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.

For the analysis of surveyed center rates, the number of child care slots for each rate category was determined in one of two ways. First, for categories of care in which children were currently being served, the number of children in each category served as a proxy for the number of slots. Second, rate categories in which no children were currently being served were also included in the analysis, since they were also theoretically part of the market. This was done by estimating the number of slots for each of these rate categories with a formula that multiplies the number of children served at each facility by the average proportion of children, across all licensed centers, served in each rate category. Thus, for example, a facility that served 100 children and had an existing part-day infant rate schedule, but did not currently serve any part-day infants, would have its number of slots for this category of care estimated at two (100 child capacity X 2 percent of children served in the part-day infant category across all licensed centers). If the same facility served no part-day preschoolers, its number of slots would be estimated at seven (100 child capacity X 7 percent served in this category across all licensed centers). This method allows fuller use of the rate information gathered from surveyed centers, especially for rare forms of care in which rate observations were otherwise scarce.

New Survey Questions in 2018
The 2018 surveys were modified slightly from previous years to include two additional items. The first item followed up with providers who did not accept CCS children to better understand their reasons for this decision. The second question added asked providers who did accept CCS children, “Do you charge families an additional amount if their total CCS subsidy plus parent copay is less than your established rate?”
4.2.4 Describe how the market rate survey or alternative methodology reflects variations in the price or cost of child care services by:

a) Geographic area (e.g., statewide or local markets). Describe:
The MRS includes results by workforce area. The MRS providers are selected from a statewide list provided by CCL. 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. Describe:
The MRS includes results by each of the three types of child care provider regulated by CCL 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 CCL-provided statewide list 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. Describe:
The MRS includes results by the following age groups:
- Infants (0-17 months)
- Toddlers (18-35 months)
- Preschool-age children (36-71 months)
- 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 or alternative methodology, such as quality level.
The survey asks providers if they have a TRS quality designation or another national accreditation. However, the report does not disaggregate the results by TRS or other quality designator.

4.2.5 After conducting the market rate survey or alternative methodology, the Lead Agency must prepare a detailed report containing the results of the MRS or alternative methodology. The detailed report must also include the estimated cost of care (including any relevant variation by geographic location, category of provider, or age of child) necessary to support (1) child care providers' implementation of the health, safety, quality, and staffing requirements and (2) higher quality care, as defined by the Lead Agency using a quality rating and improvement system or other system of quality indicators, at each level of quality. For States without a QRIS, the States may use other quality indicators (e.g. provider status related to accreditation, pre-K standards, Head Start performance standards, or State defined quality measures.)

Describe how the Lead Agency made the results of the market rate survey or alternative methodology report widely available to the public (98.45(f)(1)). by responding to the questions below.

a) Date of completion of the market rate survey or alternative methodology (must be no earlier than July 1, 2016, and no later than July 1, 2018). 07/01/2017

b) Date the report containing results was made widely available - no later than 30 days after the completion of the report. The 2017 MRS was published July 31, 2017; the 2018 MRS is expected to be available in September 2018.

c) Describe how the Lead Agency made the detailed report containing results widely available and provide the link where the report is posted.
d) Describe how the Lead Agency considered stakeholder views and comments in the detailed report.

After the vendor submitted their MRS implementation plan which included the MRS statistical methodology and process, TWC provided a copy of the plan process and the draft MRS survey questionnaire to the above stakeholders. Stakeholders had 30 days to review and comment. TWC reviewed the comments with the vendor and incorporated changes as appropriate. TWC responded to all comments and included the questions and responses in the narrative in the MRS detailed report

4.3 Setting Payment Rates

The Lead Agency must set CCDF subsidy payment rates, in accordance with the results of the current MRS or alternative methodology, at a level to ensure equal access for eligible families to child care services that are comparable with those provided to families not receiving CCDF funds. The Lead Agency must re-evaluate its payment rates at least every 3 years.

4.3.1 Provide the base payment rates and percentiles (based on the most recent MRS) for the following categories below. Percentiles are not required if the Lead Agency conducted an alternative methodology only (with pre-approval from ACF), but must be reported if the Lead Agency conducted an MRS alone or in combination with an alternative methodology. The ages and types of care listed below are meant to provide a snapshot of the categories on which rates can be based and are not intended to be comprehensive of all categories that might exist or to reflect the terms used by the Lead Agency for particular ages. Please use the most populous geographic region (area serving highest number of CCDF children) to report base payment rates below, if they are not statewide. Note: If the Lead Agency obtained approval to conduct an alternative methodology, then reporting of percentiles is not required.

a) Infant (6 months), full-time licensed center care in the most populous geographic region
Rate $ 32.91 per day unit of time (e.g., daily, weekly, monthly)

Percentile of most recent MRS: 37th
b) Infant (6 months), full-time licensed FCC home in the most populous geographic region
Rate $26.13 per day unit of time (e.g., daily, weekly, monthly)
Percentile of most recent MRS: 39th

c) Toddler (18 months), full-time licensed center care in the most populous geographic region
Rate $28.31 per day unit of time (e.g., daily, weekly, monthly)
Percentile of most recent MRS: 33rd

d) Toddler (18 months), full-time licensed FCC care in the most populous geographic region
Rate $24.91 per day unit of time (e.g., daily, weekly, monthly)
Percentile of most recent MRS: 26th

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., daily, weekly, monthly)
Percentile of most recent MRS: 52nd

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., daily, weekly, monthly)
Percentile of most recent MRS: 40th

g) School-age child (6 years), full-time licensed center care in most populous geographic region
Rate $20.76 per day unit of time (e.g., daily, weekly, monthly, etc.)
Percentile of most recent MRS: 56th

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., daily, weekly, monthly)
Percentile of most recent MRS: 80th
i) Describe how part-time and full-time care were defined and calculated.
Full-time care is from six to 12 hours of care and part-time is fewer than six hours of care.

j) Provide the effective date of the current payment rates (i.e., date of last update based on most recent MRS). 08/01/2018

k) Identify the most populous area of the state used to complete the responses above.
Gulf Coast Workforce Development Area

l) Provide the citation or link, if available, to the payment rates.
http://www.twc.state.tx.us/students/child-care-development-fund-state-plans

m) If the payment rates are not set by the Lead Agency for the entire state/territory, describe how many jurisdictions set their own payment rates (98.16(i)(3)).

As described in §809.20, based on local factors, including a market rate survey provided by the Commission, each of the 28 Boards establishes 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.

4.3.2 Lead Agencies can choose to establish tiered rates, differential rates, or add-ons on top of their base rates as a way to increase payment rates for targeted needs (i.e., a 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 and describe the types of tiered reimbursement or differential rates, if any, the Lead Agency has chosen to implement. In the description of any tiered rates or add-ons, at a minimum, indicate the process and basis used for determining the tiered rates, including if the rates were based on the MRS and/or an alternative methodology, and the amount of the rate. Check all that apply.
Differential rate for non-traditional hours.

Describe:
Boards may define differential rates for non-traditional hours, based on the MRS and factors specific to the local workforce development area.

Differential rate for children with special needs, as defined by the state/territory.

Describe:
TWC Child Care Services rules provide for an inclusion rate of up to 190 percent of the reimbursement rate.

Differential rate for infants and toddlers. Note: Do not check if the Lead Agency has a different base rate for infants/toddlers with no separate bonus or add-on.

Describe:
The tiered rates for infants and toddlers vary by Board and are based on the MRS and factors specific to the workforce area.

Differential rate for school-age programs. Note: Do not check if the Lead Agency has a different base rate for school-age children with no separate bonus or add-on.

Describe:
The tiered rates for school-age programs vary by Board and is based on the MRS and factors specific to the workforce area.

Differential rate for 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 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.

Additionally, TWC is using additional funding to significantly raise child care reimbursement rates, with a particular focus on TRS providers. Effective August 1, 2018, rates will be increased as follows:
- 2% increase for non-TRS providers
- Rates for TRS 4-star providers will be set to at least 75% of the local area's 2017 MRS
- Rates for TRS 3-star providers will be set to at least 90% of the local area's 4-star rate
- Rates for TRS 2-star providers will be set to at least 90% of the local area's 3-star rate

☐ Other differential rates or tiered rates.
Describe:

☐ Tiered or differential rates are not implemented.

4.4 Summary of Facts Used To Determine That Payment Rates Are Sufficient To Ensure Equal Access

4.4.1 Lead Agencies must certify that CCDF payment rates are sufficient to ensure equal access for eligible families to child care services comparable to those provided by families not receiving CCDF assistance (98.16(a)). Certify that payment rates reported in 4.3.1 are sufficient to ensure equal access by providing the following summary of facts (98.45(b)):

a) Describe how a choice of the full range of providers eligible to receive CCDF is made available; the extent to which eligible child care providers participate in the CCDF system; and any barriers to participation, including barriers related to payment rates and practices.

On a monthly basis, 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 11 percent of the total capacity of all licensed child care centers in the state, throughout 2017 and the first quarter of 2018, approximately 58 percent of all licensed child care centers provided care to subsidized children.

Additionally, subsidized children in licensed child care homes represent approximately 9 percent of the total capacity of all licensed child care homes in the state; throughout 2017 and the first quarter of 2018, approximately 27 percent of all licensed child care homes provided care to subsidized children. Subsidized children in registered child care homes represent approximately 3 percent of the total capacity of all registered child care homes in the state; throughout 2016, approximately 11 percent of all registered child care homes provided care to subsidized children.

To gain insight into the dynamics of which facilities accept subsidized children and how that affects their pricing for such children, new questions were added to the survey for 2018. Providers that did not report serving subsidized children were asked for their reason for not accepting subsidized children. The most common reason reported by homes is that families have not requested or needed subsidized care. Homes also commonly reported that they do accept subsidized children but do not currently provide care for any subsidized children at the time of their interview. Among center respondents, the most common answers are that they are not set up to accept subsidies, but no reason is provided, or that it was the owner’s decision, again with no reason provided. Centers not serving subsidized children also frequently claimed that the families they serve have not requested or needed subsidized care.

About five percent of facilities not serving subsidized children indicated they did not do so because reimbursement rates were too low. A similar percentage of facilities of either type felt they needed more information or training in order to accept subsidized children.

Effective August 1, 2018, TWC implemented a statewide increase of provider reimbursement rates with the biggest increases going to providers participating in TRS. This rate increase combined with Board marketing and outreach efforts is expected to increase the number of providers, especially high-quality providers, that accept subsidized children.
b) Describe how payment rates are adequate and have been established based on the **most recent MRS or alternative methodology**. Note: Per the preamble (81 FR 67512), in instances where a MRS or alternative methodology indicates that prices or costs have increased, Lead Agencies must raise their rates as a result.

As stated above, throughout 2017 and 2018, approximately 58 percent of all licensed child care centers provided care to subsidized children. Additionally, subsidized children in licensed child care homes represent approximately 9 percent of the total capacity of all licensed child care homes in the state; throughout 2017 and 2018, approximately 27 percent of all licensed child care homes provided care to subsidized children. Subsidized children in registered child care homes represent approximately 3 percent of the total capacity of all registered child care homes in the state; throughout 2017 and 2018, approximately 11 percent of all registered child care homes provided care to subsidized children.

Additionally, as stated above, TWC implemented a statewide increase of provider reimbursement rates on August 1, 2018 which pinned TRS rates to the 75th percentile of the 2017 MRS rates. Furthermore, the 2017 MRS demonstrated that only 5% of providers that did not serve subsidized children indicated that low reimbursements were the reason, and the rate increases went into effect after those survey responses were received.

c) Describe how base payment rates enable providers to meet health, safety, quality, and staffing requirements under CCDF.

As described above, beginning with the 2018 MRS providers that do not serve subsidized children were asked to report the reason(s) they do not accept subsidies, including if payment rates are adequate. Only five percent of facilities not serving subsidized children indicated they did not do so because reimbursement rates were too low.

Additionally, after these provider responses were gathered, the Commission approved a statewide rate increase. Effective August 1, 2018 TWC directed the following increases for non-relative child care providers:
- Increase rates for all non-TRS/non-Texas School Ready! (TSR!) providers by 2 percent.
- Set reimbursement rates for TRS 4-star providers at the 75th percentile of the 2017 local market rate.
- Set reimbursement rates for TRS 3-star providers at 90 percent of the local 4-star rate.
- Set reimbursement rates for TRS 2-star providers at 90 percent of the local 3-star rate.

Reference: WD letter 12-18

Additionally, on November 12, 2018, the Commission approved funding for a statewide cost of quality study, with in-depth provider interviews and rigorous analyses of provider expenditures. The study will estimate the costs necessary to support the implementation of state health, safety, and staffing requirements, as well as the cost drivers associated with implementing the Texas Rising Star quality standards.

Based on the study results, TWC will develop guidance for Boards to evaluate and set reimbursement rates that cover the costs of meeting health, safety, and quality requirements.

d) Describe how the Lead Agency took the cost of higher quality into account, including how payment rates for higher-quality care, as defined by the Lead Agency using a QRIS or other system of quality indicators, relate to the estimated cost of care at each level of quality. Note: For States without a QRIS, the States may use other quality indicators (e.g. provider status related to accreditation, Pre-K standards, Head Start performance standards, or State defined quality measures).

Texas Government Code §2308.315 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 percent for a 2-Star Program Provider
- 7 percent for a 3-Star Program Provider
- 9 percent for a 4-Star Program Provider

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

Additionally, in 2017, Workforce Solutions of Tarrant County completed a cost of quality study in partnership with Workforce Solutions Greater Dallas. The study used the
Provider Cost of Quality Calculator (PCQC) and determined that typical centers at all TRS levels would be financially sustainable, with 2-star providers being somewhat better off than 3- and 4-star providers.

As discussed above, TWC has recently implemented statewide increases in reimbursement rates that emphasize higher rates for higher levels of quality. The statewide cost of quality study that TWC has approved funding for will provide the state and Boards with a detailed and rigorous analysis of the primary cost drivers for care at each quality level.

e) How will the Lead Agency ensure that the family contribution/co-payment, based on a sliding-fee scale, is affordable and is not a barrier to families receiving CCDF funds (98.16 (k))? Check all that apply.

- Limit the maximum co-payment per family.
  Describe: .

- Limit the combined amount of co-payment for all children to a percentage of family income. List the percentage of the co-payment limit and

- Minimize 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 3.1.7.
  TWCC's graduated phase-out of child care services discussed in 3.1.5 requires Boards to continue services for eligible families up to 85 percent SMI.

- Other.
  Describe:
  Section B-707.b of the TWC Child Care Services Guide 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.

f) To support parental choice and equal access to the full range of child care options, does the Lead Agency choose the option to allow providers to charge families additional
amounts above the required co-payment in instances where the provider's price exceeds the subsidy payment (98.45(b)(5))?  

☐ No  
☑ Yes. If yes:  

i. Provide the rationale for the Lead Agency's policy to allow providers to charge families additional amounts above the required co-payment, including a demonstration of how the policy promotes affordability and access for families.  

As required by TWC Child Care Services rule §809.92(c), providers may not charge the difference between the provider's published rate and the amount of the Board's reimbursement rate to parents:

- who are exempt from the parent share of cost  
- whose parent share of cost is calculated to zero  

Based on the needs of their local area, a Board may develop a policy that prohibits providers from charging the difference between the provider's published rate and the amount of the Board's reimbursement rate (including the assessed parent share of cost) to all parents eligible for child care services. Additionally, TWC Child Care Services rule §809.92(f) prohibits providers from charging fees to parents receiving child care subsidies if those fees are not also charged to parents who do not receive subsidies.  

ii. Provide data (including data on the size and frequency of such amounts) on the extent to which CCDF providers charge additional amounts to families.  

As of March 2018, 10 Boards permitted providers to charge families the difference between the provider's published rate and the Board's reimbursement rate:

- Alamo  
- Brazos Valley  
- Central Texas  
- Dallas  
- Deep East  
- Heart of Texas  
- Middle Rio  
- Permian Basin  
- Tarrant County  
- Texoma  

In accordance with anticipated revisions to the ACF-801 case level report, TWC plans to collect and report on the size and frequency of additional amounts charged
iii. Describe the Lead Agency's analysis of the interaction between the additional amounts charged to families with the required family co-payment, and the ability of current subsidy payment rates to provide access to care without additional fees. Once the 2018 MRS is complete, TWC will analyze the results of the survey and the case-level data submitted by the 10 affected Boards. Additionally, TWC will provide guidance to Boards, as needed, on conducting their own local analyses.

g) Describe how Lead Agencies' payment practices described in 4.5 support equal access to a range of providers.

To support the fixed costs of providers and industry-standard payment practices, Boards and Board contractors reimburse providers based on a child's enrollment authorization, delinking the child's attendance from provider payment. Additionally, Boards and Board contractors reimburse providers on a regular schedule that is timely and in keeping with industry standards for payment. These practices ensure that a broad range of providers provide subsidized care.

h) Describe how and on what factors the Lead Agency differentiates payment rates. Check all that apply.

- Geographic area.
  Describe:
  The MRS breaks down market rates for each workforce area. Each Board uses the MRS data in addition to the Board's knowledge of the workforce area to set local payment rates.

- Type of provider.
  Describe:
  The MRS breaks down rates by the following provider types: licensed child care centers, licensed child care homes, and registered child care homes.

- Age of child.
  Describe:
  The MRS breaks down rates by the following age groups: infant/toddler, preschool,
and school-age. Boards use the MRS data for their workforce areas to set
differential rates for these age categories.

☐ Quality level.
Describe:
As described above, Texas Government Code §2308.315 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 percent for a 2-Star Program Provider
- 7 percent for a 3-Star Program Provider
- 9 percent for a 4-Star Program Provider

☐ Other.
Describe:

i) Describe any additional facts that the Lead Agency considered in determining its
payment rates to ensure equal access. Check all that apply and describe:
☐ Payment rates are set at the 75th percentile benchmark or higher of the
most recent MRS.
Describe:

☐ Based on the approved alternative methodology, payments rates ensure equal
access.
Describe:

☐ Feedback from parents, including parent surveys or parental complaints.
Describe:

☑ Other.
Describe:
TWC analyzes the use of regulated providers relative to the total number of
regulated providers to determine whether the rates are sufficient to ensure equal
access to providers. On a monthly basis, 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 11 percent of the total capacity of all licensed child care centers in the state, throughout 2017 and the first quarter of 2018, approximately 58 percent of all licensed child care centers provided care to subsidized children. Additionally, subsidized children in licensed child care homes represent approximately 9 percent of the total capacity of all licensed child care homes in the state; throughout 2017 and the first quarter of 2018, approximately 30 percent of all licensed child care homes provided care to subsidized children. On a monthly basis, TWC also analyzes the percentage of total TRS quality providers, by provider type, that care for TWC-subsidized children. Fiscal Year 2017 data show that approximately 31 percent of providers serving subsidized children were TRS quality providers.

4.5 Payment Practices and the Timeliness of Payments

Lead Agencies are required to demonstrate that they have established payment practices applicable to all CCDF child care providers that include ensuring the timeliness of payments by either (1) paying prospectively prior to the delivery of services or (2) paying within no more than 21 calendar days of the receipt of a complete invoice for services. To the extent practicable, the Lead Agency must also support the fixed costs of providing child care services by delinking provider payments from a child’s occasional absences by (1) paying based on a child’s enrollment rather than attendance, (2) providing full payment if a child attends at least 85 percent of the authorized time, (3) providing full payment if a child is absent for 5 or fewer days in a month, or (4) using an alternative approach for which the Lead Agency provides a justification in its Plan (658E(c)(2)(S)(ii); 98.45(l)(2)).

Lead Agencies are required to use CCDF payment practices that reflect generally accepted payment practices of child care providers who serve children who do not receive CCDF-funded assistance. Unless a Lead Agency is able to demonstrate that the following policies are not generally accepted in its particular state, territory, or service area or among particular categories or types of providers, Lead Agencies must (1) pay providers based on established part-time or full-time rates rather than paying for hours of service or smaller increments of time and (2) pay for reasonable, mandatory registration fees that the provider charges to private-paying parents (658E(c)(2)(S); 98.45(l)(3)).
In addition, there are certain other generally accepted payment practices that are required. Lead Agencies are required to ensure that child care providers receive payment for any services in accordance with a payment agreement or an authorization for services, ensure that child care providers receive prompt notice of changes to a family’s eligibility status that could impact payment, and establish timely appeal and resolution processes for any payment inaccuracies and disputes (98.45(l)(4) through (6); 658E(c)(2)(S)(ii); 98.45(l)(4); 98.45(l)(5); 98.45(l)(6)).

4.5.1 Certify by identifying and describing the payment practices below that the Lead Agency has implemented for all CCDF child care providers.

a) Ensure the timeliness of payments by either (Lead Agency to implement at least one of the following):
   - Paying prospectively prior to the delivery of services.  
     Describe the policy or procedure.
   - Paying within no more than 21 calendar days of the receipt of a complete invoice for services.  
     Describe the policy or procedure.

"Billing for services" is based on the weekly attendance upload from the CCAA system. Local Workforce Development Boards (Boards) or Board child care contractors reimburse all providers in their workforce area on a standard weekly, biweekly, or monthly schedule as determined by the Board and can reimburse providers within 10 days of receipt of the final weekly attendance data.

b) To the extent practicable, support the fixed costs of providing child care services by delinking provider payments from a child's occasional absences by: (Note: The Lead Agency is to choose at least one of the following):
   - Paying based on a child's enrollment rather than attendance.  
     Describe the policy or procedure.

TWC Child Care Services rule §809.93(b) requires that a Board or its child care contractor shall reimburse a regulated provider based on a child's monthly enrollment authorization. Providers are reimbursed for the full authorization regardless of the
child's attendance.

☐ Providing full payment if a child attends at least 85 percent of the authorized time.
Describe the policy or procedure.

☐ Providing full payment if a child is absent for five or fewer days in a month.
Describe the policy or procedure.

☐ Use an alternative approach for which the Lead Agency provides a justification in its Plan.
If chosen, please describe the policy or procedure and the Lead Agency's justification for this approach.

c) The Lead Agency's payment practices reflect generally accepted payment practices of child care providers who serve children who do not receive CCDF subsidies. These payment practices must include the following two practices unless the Lead Agency provides evidence that such practices are not generally accepted in its state (658E(c)(2)(S); 98.45(l)(3)).

i. Paying on a part-time or full-time basis (rather than paying for hours of service or smaller increments of time).
Describe the policy or procedure and include a definition of the time increments (e.g., part time, full-time).
Payments are based on a child's enrollment authorization, which is categorized as full or part time (or blended for school-age children). Payments are based on that categorization and are not based on smaller increments. Full-time care is from six to 12 hours of care and part-time is fewer than six hours of care.

ii. Paying for reasonable mandatory registration fees that the provider charges to private-paying parents.
Describe the policy or procedure.
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.

TWC's Child Care Services Guide Section B-707.b describes the procedures that Boards must use to calculate providers' published rates:
- The published daily rate is the sum of calculated daily rates and calculated daily fees.
- Boards must ensure that child care contractors use the methodology outlined in B-707.b to calculate providers' published rates and applicable fees upon renewal of provider agreements.
- Daily fees include the following:
  1. Enrollment and registration fees
  2. Supply fees
  3. Activity fees

Additionally, Texas' annual MRS uses the same methodology to calculate market rates for child care services. As described in Section B-701 of TWC's Child Care Services Guide, Boards must establish maximum reimbursement rates based on local factors, including the MRS, to ensure that rates provide equal access to child care in the local market.

d) The Lead Agency ensures that providers are paid in accordance with a written payment agreement or an authorization for services that includes, at a minimum, information regarding provider payment policies, including rates, schedules, any fees charged to providers, and the dispute-resolution process. Describe:
Boards establish contractual agreements with each provider receiving CCDF subsidies. These agreements detail payment policies, including rates, schedules, fees, and the dispute resolution process.

e) The Lead Agency provides prompt notice to providers regarding any changes to the family's eligibility status that could impact payments, and such a notice is sent no later than the day that the Lead Agency becomes aware that such a change will occur. 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 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.
f) The Lead Agency 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 can reimburse providers within 10 days 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.

g) Other. Describe:

N/A

4.5.2 Do payment practices vary across regions, counties, and/or geographic areas?

- No, the practices do not vary across areas.
- Yes, the practices vary across areas.

Describe:

Each Board has an agreement for each provider that provides subsidized child care. All Boards follow the practices of verifying services were received, paying based on enrollment authorization, and paying after services are received, procedural differences exist across Boards including the frequency with which Boards reimburse providers varies by Board area.

4.6 Supply-Building Strategies to Meet the Needs of Certain Populations

Lead Agencies are required to develop and implement strategies to increase the supply of and to improve the quality of child care services for children in underserved areas; infants and toddlers; children with disabilities, as defined by the Lead Agency; and children who receive care during non-traditional hours (658 E(c)(2)(M); 98.16 (x)).
4.6.1 Lead Agencies must identify shortages in the supply of high-quality child care providers. List the data sources used to identify shortages, and describe the method of tracking progress to support equal access and parental choice.

☐ In licensed family child care.
Each Board uses information from TWIST, CCL, and CLI in conjunction with local factors to determine shortages in the supply of high-quality providers. Several Boards also leverage Geographic Information Systems to map the locations of providers and identify "deserts."

☐ In licensed child care centers.
Each Board uses information from TWIST, CCL, and CLI in conjunction with local factors to determine shortages in the supply of high-quality providers. Several Boards also leverage Geographic Information Systems to map the locations of providers and identify "deserts."

☐ Other.

4.6.2 Describe what method(s) is used to increase supply and to improve quality for the following.

a) Children in underserved areas. Check and describe all that apply.
☐ Grants and contracts (as discussed in 4.1.3).
  Describe:

☐ Family child care networks.
  Describe:

☐ Start-up funding.
  Describe:
Technical assistance support.
Describe:
TWC works with Boards to determine the child care needs of workforce areas and target quality improvement funds to underserved areas.

Recruitment of providers.
Describe:
Boards use a variety of methods to identify shortages, including geo mapping TRS providers. Additionally, TWC provides quality funds to Boards to assist in expanding capacity or addressing particular needs in their workforce areas. Boards report their quality improvement activities to TWC on a quarterly basis.

Tiered payment rates (as discussed in 4.3.2).
Describe:
As described in section 4.3.2, 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.

Support for improving business practices, such as management training, paid sick leave, and shared services.
Describe:
TWC approved funding through a competitive procurement process for the delivery of intensive, in-depth courses related to child care administration and business practices to strengthen the business practices of child care providers.

Additionally, TWC will has approved the use of additional funding to host regional child care business forums.

Accreditation supports.
Describe:

Child Care Health Consultation.
4.6.2 Describe what method(s) is used to increase supply and to improve quality for the following.

b) Infants and toddlers. Check and describe all that apply.

- Grants and contracts (as discussed in 4.1.3).
  
  TWC plans to use a portion of new funding for collaborative matching grants targeted to increasing the quality and supply of infant and toddler care.

- Family child care networks.

- Start-up funding.

- Technical assistance support.
  
  TWC works with Boards to determine the infant and toddler child care needs of their workforce areas and to target quality improvement funds to improve the supply of quality providers.

- Recruitment of providers.
  
  Boards target quality improvement dollars and recruitment efforts to expand the number and quality of providers that provide care for infants and toddlers.
Tiered payment rates (as discussed in 4.3.2).

Describe:
Boards establish reimbursement rates and may target rate increases to age groups based on the needs of the workforce area.

Support for improving business practices, such as management training, paid sick leave, and shared services.

Describe:
TWC approved funding through a competitive procurement process for the delivery of intensive, in-depth courses related to child care administration and business practices to strengthen the business practices of child care providers. TWC approved funding through a competitive procurement process for the delivery of intensive, in-depth courses related to child care administration and business practices to strengthen the business practices of child care providers.

Additionally, TWC will has approved the use of additional funding to host regional child care business forums.

Accreditation supports.

Describe:

Child Care Health Consultation.

Describe:

Mental Health Consultation.

Describe:

Other.

Describe:

4.6.2 Describe what method(s) is used to increase supply and to improve quality for the following.
c) Children with disabilities. Check and describe all that apply.

☐ Grants and contracts (as discussed in 4.1.3).
   Describe:

☐ Family child care networks.
   Describe:

☐ Start-up funding.
   Describe:

☐ Technical assistance support.
   Describe:
   TWC works with Boards to determine the workforce area needs for child care of children with disabilities.

☐ Recruitment of providers.
   Describe:
   Boards work with partnering agencies and local providers to identify child care slots for children with disabilities.

☐ Tiered payment rates (as discussed in 4.3.2).
   Describe:
   As discussed above, TWC child care rules provide for an inclusion rate of up to 190 percent of the reimbursement rate to support providers who care for children with disabilities.

☐ Support for improving business practices, such as management training, paid sick leave, and shared services.
   Describe:
   TWC approved funding through a competitive procurement process for the delivery of intensive, in-depth courses related to child care administration and business practices to strengthen the business practices of child care providers.

   Additionally, TWC will has approved the use of additional funding to host regional
child care business forums.

☐ Accreditation supports.
   Describe:

☐ Child Care Health Consultation.
   Describe:

☐ Mental Health Consultation.
   Describe:

☑ Other.
   Describe:
   Additionally, TWC funded online training courses developed in partnership with CCL and Texas A&M AgriLife to assist providers in serving children with disabilities.

4.6.2 Describe what method(s) is used to increase supply and to improve quality for the following.

d) Children who receive care during non-traditional hours. Check and describe all that apply
   ☐ Grants and contracts (as discussed in 4.1.3).
      Describe:

   ☐ Family child care networks.
      Describe:

   ☐ Start-up funding.
      Describe:

   ☐ Technical assistance support.
      Describe:
Recruitment of providers.

Describe:
TWC works with Boards to determine the non-traditional child care needs of workforce areas and to target quality improvement funds to expand access in underserved areas.

Tiered payment rates (as discussed in 4.3.2).

Describe:
TWC also works with Boards to develop differential rate structures for care during non-traditional hours (that is, nights and weekends). Boards establish reimbursement rates and may target rate increases to provider types.

Support for improving business practices, such as management training, paid sick leave, and shared services.

Describe:
TWC approved funding through a competitive procurement process for the delivery of intensive, in-depth courses related to child care administration and business practices to strengthen the business practices of child care providers.

Additionally, TWC will has approved the use of additional funding to host regional child care business forums.

Accreditation supports.

Describe:

Child Care Health Consultation.

Describe:

Mental Health Consultation.

Describe:

Other.

Describe:
4.6.2 Describe what method(s) is used to increase supply and to improve quality for the following.

e) Other. Check and describe all that apply:

- Grants and contracts (as discussed in 4.1.3).
  Describe:
  N/A

- Family child care networks.
  Describe:

- Start-up funding.
  Describe:

- Technical assistance support.
  Describe:

- Recruitment of providers.
  Describe:

- Tiered payment rates (as discussed in 4.3.2).
  Describe:

- Support for improving business practices, such as management training, paid sick leave, and shared services.
  Describe:

- Accreditation supports.
  Describe:

- Child Care Health Consultation.
  Describe:
4.6.3 Lead Agencies must prioritize investments for increasing access to high-quality child care and development services for children of families in areas that have significant concentrations of poverty and unemployment and do not currently have sufficient numbers of such programs.

a) How does the Lead Agency define areas with significant concentrations of poverty and unemployment?
TWC analyzes the comparative percentage 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 across each of the 28 workforce areas. TWC also uses unemployment data collected by the agency's Unemployment Insurance division to compare child poverty rates with unemployment rates. There is a correlation between child poverty rates and unemployment rates.

b) Describe how the Lead Agency prioritizes increasing access to high-quality child care and development services for children of families in areas that have significant concentrations of poverty and unemployment and that do not have high-quality programs
TWC includes the percent of the population below 100 percent of FPG and the percent of children under 13 in families below 150 percent FPG as factors in determining funding allocations to each workforce area. Additionally, 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 poverty and unemployment. Magnifying these efforts, Texas Government Code §2308.317 requires Boards to prioritize quality child care funding initiatives that benefit child care facilities working toward TRS certification or TRS-certified providers working toward higher certification levels.
5 Establish Standards and Monitoring Processes To Ensure the Health and Safety of Child Care Settings

Lead Agencies are required to certify that there are in effect licensing requirements applicable to all child care services in the state/territory, which supports the health and safety of all children in child care. States and territories may allow licensing exemptions. Lead Agencies must describe how such licensing exemptions do not endanger the health, safety, and development of CCDF children in license-exempt care (98.16(u)).

Lead Agencies also must certify that there are in effect health and safety standards and training requirements applicable to providers serving CCDF children, whether they are licensed or license-exempt. These health and safety requirements must be appropriate to the provider setting and age of the children served, must include specific topics and training on those topics, and are subject to monitoring and enforcement procedures.

The organization of this section begins with a description of the licensing system for providers of child care in a state or territory and then moves to focus in on CCDF providers who may be licensed, exempt from licensing, or relative providers. The section then covers the health and safety requirements and training, and monitoring and enforcement procedures to ensure that CCDF child care providers comply with licensing and health and safety requirements (98.16(n)). Lead Agencies are also asked to describe any exemptions for relative providers (98.16(l)). This section also addresses group size limits; child-staff ratios; and required qualifications for caregivers, teachers, and directors (98.16(m)) serving CCDF children.

Note: When responding to questions in this section, the OCC recognizes that each State/Territory identifies and defines its own categories of care. The OCC does not expect States/Territories to change their definitions to fit the CCDF-defined categories of care. For these questions, provide responses that closely match the CCDF categories of care.

Criminal background check requirements are included in this section (98.16(o)). It is important to note that these requirements are in effect for all child care staff members that are licensed, regulated or registered under state/territory law and all other providers eligible to deliver CCDF services.
5.1 Licensing Requirements

Each state/territory must certify it has in effect licensing requirements applicable to all child care services provided within the state/territory (not restricted to providers receiving CCDF funds) and provide a detailed description of these requirements and how the requirements are effectively enforced (658E(c)(2)(F)). If any types of providers are exempt from licensing requirements, the state/territory must describe those exemptions and describe how these exemptions do not endanger the health, safety, or development of children. The descriptions must also include any exemptions based on provider category, type, or setting; length of day; and providers not subject to licensing because the number of children served falls below a Lead Agency-defined threshold and any other exemption to licensing requirements (658E(c)(2)(F); 98.16(u); 98.40(a)(2)(iv)).

5.1.1 To certify, describe the licensing requirements applicable to child care services provided within the state/territory by identifying the providers in your state/territory that are subject to licensing using the CCDF categories listed below? Check all that apply and provide a citation to the licensing rule.

- Center-based child care.
  Describe and Provide the citation:
  Licensed Child Care Centers provide care for seven or more children under 14 years old for fewer than 24 hours per day at a location other than the permit holder's home. Licensed child care centers include operations providing before- or after-school care and school-age programs. Citation: Texas Human Resources Code (HRC) §42.041(a); 40 Texas Administrative Code (TAC) §745.37(2).

- Family child care.
  Describe and Provide the citation:
  Licensed Child Care Homes provide care for fewer than 24 hours per day for 7-12 children under 14 years old in the permit holder's home. Registered Child Care Homes provide care in the caregiver's home for up to six children under age 14; they may also care for up to six additional school-age children. Citation: Texas HRC §§42.052(c)-(d); 40 TAC §745.37(2).
In-home care (care in the child's own home).

Describe and provide the citation (if applicable):
Listed Family Homes provide regular child care in the providers' own homes for compensation for from one to three unrelated children with up to 12 total children. 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. To be eligible for CCDF as an in-home provider, the caregiver must be listed as a relative-only listed home (care is provided only for children related to the provider, in the provider's or the child's home). Citation: Texas HRC §42.0523; 40 TAC §745.37(2).

5.1.2 Describe if any providers are exempted from licensing requirements and how such exemptions do not endanger the health, safety, and development of children (658E (c)(2)(F); 98.40(a)(2)).

Note: Additional information about exemptions related to CCDF providers is required in 5.1.3. N/A

5.1.3 Check and describe any CCDF providers in your state/territory who are exempt from licensing (98.40(2)(i) through (iv))? Describe exemptions based on length of day, threshold on the number of children in care, ages of children in care or any other factors applicable to the exemption

- [ ] Center-based child care.
  If checked, describe the exemptions.

- [ ] Family child care.
  If checked, describe the exemptions.

- [ ] In-home care.
5.2 Health and Safety Standards and Requirements for CCDF Providers

5.2.1 Standards on ratios, group sizes, and qualifications for CCDF providers.

Lead Agencies are required to establish child care standards for providers receiving CCDF funds, appropriate to the type of child care setting involved, that address appropriate ratios between the number of children and number of providers in terms of the age of the children, group size limits for specific age populations, and the required qualifications for providers (658E(c)(2)(H); 98.41(d); 98.16(m)). For ease of responding, this section is organized by CCDF categories of care, licensing status, and age categories. Respondents should map their Lead Agency categories of care to the CCDF categories.

a) Licensed CCDF center-based care

1. Infant

   -- How does the State/territory define infant (age range):
   Birth - 17 months

   -- Ratio:
   1:4 for 0 - 11 months; 1:5 for 12 - 17 months

   -- Group size:
   10 for 0 - 11 months; 13 for 12 - 17 months

   -- Teacher/caregiver qualifications:
   Individuals must: 1) be at least 18 years of age; 2) have a high school diploma, high school equivalent, or high school certificate of coursework completion as defined in Texas Education Code §28.025(d); 3) have a cleared background check; 4) complete an Affidavit for Applicants Employment form; 5) complete orientation; and 6) complete eight of the 24 required hours of pre-service training.
2. Toddler

-- How does the State/territory define toddler (age range):
18 - 35 months

-- Ratio:
1:9 for 18 - 23 months; 1:11 for 24 - 35 months

-- Group size:
18 for 18 - 23 months; 22 for 24 - 35 months

-- Teacher/caregiver qualifications:
Individuals must: 1) be at least 18 years of age; 2) have a high school diploma, high school equivalent, or high school certificate of coursework completion as defined in Texas Education Code §28.025(d); 3) have a cleared background check; 4) complete an Affidavit for Applicants Employment form; 5) complete orientation; and 6) complete eight of the 24 required hours of pre-service training.

3. Preschool

-- How does the State/territory define preschool (age range):
3 and 4 years

-- Ratio:
1:15 for 3 years; 1:18 for 4 years

-- Group size:
30 for 3 years; 35 for 4 years

-- Teacher/caregiver qualifications:
Individuals must: 1) be at least 18 years of age; 2) have a high school diploma, high school equivalent, or high school certificate of coursework completion as defined in Texas Education Code §28.025(d); 3) have a cleared background check; 4) complete an Affidavit for Applicants Employment form; 5) complete orientation; and 6) complete eight of the 24 required hours of pre-service training.
4. School-age

-- How does the State/territory define school-age (age range):
5 years of age and older who will attend school at or away from the center beginning in August or September of that year

-- Ratio:
1:22 for 5 years; 1:26 for 6 to 13 years

-- Group size:
35 for all age groups

-- Teacher/caregiver qualifications:
Individuals must: 1) be at least 18 years of age; 2) have a high school diploma, high school equivalent, or high school certificate of coursework completion as defined in Texas Education Code §28.025(d); 3) have a cleared background check; 4) complete an Affidavit for Applicants Employment form; 5) complete orientation; and 6) complete eight of the 24 required hours of pre-service training.

5. If any of the responses above are different for exempt child care centers, describe which requirements apply to exempt centers
N/A

6. Describe, if applicable, ratios, group sizes, and qualifications for classrooms with mixed age groups.
Ratios for mixed age groups are determined by the "specified age" of the group. The specified age is determined as follows: 1) List each child by age from youngest to oldest; 2) Determine the "core number" by dividing the total number of children by 2 and round down or up any nonwhole number; 3) Starting from the first or youngest child on the list, count down until reaching the core number; 4) The age of the child on the list that corresponds with the core number is the "specified age" of the group. This age dictates the applicable ratio as described above.
7. Describe the director qualifications for licensed CCDF center-based care, including any variations based on the ages of children in care.

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 of applied science degree in child development or a closely related field, with six college credit hours in child development, 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, 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, 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 day care administrator's credential issued by a professional organization or educational institution and approved by CCL and at least two years of experience in a licensed child care center; or
- Nine college credit hours in child development, nine college credit hours in management, and at least three years of experience in a licensed child care center.

b) Licensed CCDF family child care provider

1. Infant

-- How does the State/territory define infant (age range):

Birth - 17 months

-- Ratio:

The ratio varies depending on the number of children, the ages of the children, and the number of caregivers in the home. The maximum number of infants for which one caregiver may care is four, with no more than two additional children, ages 18 months or older, in the home. The maximum number of infants for which two caregivers may care is 10, with no additional children in the home. Listed family homes may only care for up to three unrelated children, with no restrictions on
-- Group size:
The group size varies depending on the total number of children, the ages of the children, and the number of caregivers in the home. For registered and licensed child care homes with one caregiver, the maximum group size is:
- one infant in the home: 11;
- two infants in the home: 10;
- three infants in the home: 7; and
- four infants in the home: 6.

For licensed child care homes with two caregivers, the maximum group size for one to nine infants in the home is 12, or 10 infants with no additional children in the home. Listed family homes may only care for up to three unrelated children with no restrictions on ratio or group size.

-- Teacher/caregiver qualifications:
For registered and licensed child care homes, the primary caregiver must:
- be at least 21 years of age;
- have a high school diploma or its equivalent;
- have a certificate of completion of the licensing orientation within one year of the application date;
- have current certification in cardiopulmonary resuscitation (CPR) and first aid with rescue breathing;
- have been cleared by a background check; and
- have proof of training in:
  1. recognizing and preventing shaken baby syndrome and abusive head trauma;
  2. understanding and using safe sleep practices and preventing sudden infant death syndrome (SIDS);
  3. understanding early childhood brain development;
  4. emergency preparedness;
  5. preventing and controlling the spread of communicable diseases, including immunizations;
  6. administering medication, if applicable;
  7. preventing and responding to emergencies due to food poisoning or an allergic reaction;
  8. understanding building and physical premises safety, including identification and protection from hazards that can cause bodily injury, such as electric hazards, bodies of water, and vehicular traffic;
  9. handling, storing, and disposing of hazardous materials; and
  10. precautions in transporting children if the child care home plans to
transport a child whose chronological or developmental age is less than nine years.

The primary caregiver in a licensed child care home must meet these additional requirements:

- One of the following combinations of education and experience in a licensed child care center, licensed child care home, or registered child care home:
  1. A bachelor's degree with 12 college credit hours in child development, three college credit hours in management, and at least one year of experience;
  2. An associate of applied science degree in child development or a closely related field, with six college credit hours in child development, three college credit hours in management, and at least one year of experience;
  3. Sixty college credit hours, with six college credit hours in child development, three college credit hours in management, and at least one year of experience;
  4. 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;
  5. A child care administrator's certificate from a community college with at least 15 college credit hours in child development, three college credit hours in management, and at least two years of experience;
  6. A day care administrator's credential issued by a professional organization or an educational institution and approved by CCL, and at least two years of experience; or
  7. 72 clock hours of training in child development, 30 clock hours in management, and at least three years of experience.

- The primary caregiver in a listed family home must:
  1. be at least 18 years of age; and
  2. have been cleared by a background check.

2. Toddler

-- How does the State/territory define toddler (age range):
18 through 35 months

-- Ratio:
The ratio varies depending on the number of children, the ages of the children, and the number of caregivers in the home. For a registered child care home, the maximum number of toddlers for which one caregiver may care is six, with six additional school-age children in the home. For a licensed child care home, the maximum number of toddlers for which one caregiver may care is eight, with four additional school-age children in the home. The maximum number of toddlers for
which two caregivers may care is 12. Listed family homes may care for only up to three unrelated children with no restrictions on ratio or group size.

-- Group size:
The group size varies depending on the number of children, the ages of the children, and the number of caregivers in the home. For licensed and registered child care homes with one caregiver, the maximum group size for toddlers with no infants in the home is 12. For licensed child care homes with two caregivers, the maximum group size for toddlers is 12. Listed family homes may care for only up to three unrelated children, with no restrictions on ratio or group size.

-- Teacher/caregiver qualifications:
For registered and licensed child care homes, the primary caregiver must:
- be at least 21 years of age;
- have a high school diploma or its equivalent;
- have a certificate of completion of the licensing orientation within one year of the application date;
- have current certification in cardiopulmonary resuscitation (CPR) and first aid with rescue breathing;
- have been cleared by a background check; and
- have proof of training in:
  1. recognizing and preventing shaken baby syndrome and abusive head trauma;
  2. understanding and using safe sleep practices and preventing sudden infant death syndrome (SIDS);
  3. understanding early childhood brain development;
  4. emergency preparedness;
  5. preventing and controlling the spread of communicable diseases, including immunizations;
  6. administering medication, if applicable;
  7. preventing and responding to emergencies due to food poisoning or an allergic reaction;
  8. understanding building and physical premises safety, including identification and protection from hazards that can cause bodily injury, such as electric hazards, bodies of water, and vehicular traffic;
  9. handling, storing, and disposing of hazardous materials; and
  10. precautions in transporting children if the child care home plans to transport a child whose chronological or developmental age is less than nine years.

The primary caregiver in a licensed child care home must meet these additional requirements:
- One of the following combinations of education and experience in a licensed child care center, licensed child care home, or registered child care home:

1. A bachelor's degree with 12 college credit hours in child development, three college credit hours in management, and at least one year of experience;
2. An associate of applied science degree in child development or a closely related field, with six college credit hours in child development, three college credit hours in management, and at least one year of experience;
3. Sixty college credit hours, with six college credit hours in child development, three college credit hours in management, and at least one year of experience;
4. 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;
5. A child care administrator's certificate from a community college with at least 15 college credit hours in child development, three college credit hours in management, and at least two years of experience;
6. A day care administrator's credential issued by a professional organization or an educational institution and approved by CCL, and at least two years of experience; or
7. 72 clock hours of training in child development, 30 clock hours in management, and at least three years of experience.

- The primary caregiver in a listed family home must:
  1. be at least 18 years of age; and
  2. have been cleared by a background check.

3. Preschool

   -- How does the State/territory define preschool (age range):
   3 to 4 years

   -- Ratio:
   The ratio varies depending on the number of children, the ages of the children, and the number of caregivers in the home. For a registered child care home, the maximum number of preschool children for which one caregiver may care is six with six additional school-age children in the home. For a licensed child care home with one caregiver, the maximum number of children the caregiver may care for is:
   1) eight 3-year-old children with four additional children, ages 4 and older, in the home; 2) 12 children ages 4 and older. For a licensed child care home with two caregivers, the ratio is 2:12. Listed family homes may care for only up to three unrelated children, with no restrictions on ratio or group size.
-- Group size:
The group size varies depending on the number of children, the ages of the children, and the number of caregivers in the home. For licensed and registered child care homes with one caregiver and no infants in the home, the maximum group size for preschool children is 12. For a licensed child care home with two caregivers, the maximum group size for preschool children is 12. Listed family homes may care for only up to three unrelated children, with no restrictions on ratio or group size.

-- Teacher/caregiver qualifications:
For registered and licensed child care homes, the primary caregiver must:
- be at least 21 years of age;
- have a high school diploma or its equivalent;
- have a certificate of completion of the licensing orientation within one year of the application date;
- have current certification in cardiopulmonary resuscitation (CPR) and first aid with rescue breathing;
- have been cleared by a background check; and
- have proof of training in:
  1. recognizing and preventing shaken baby syndrome and abusive head trauma;
  2. understanding and using safe sleep practices and preventing sudden infant death syndrome (SIDS);
  3. understanding early childhood brain development;
  4. emergency preparedness;
  5. preventing and controlling the spread of communicable diseases, including immunizations;
  6. administering medication, if applicable;
  7. preventing and responding to emergencies due to food poisoning or an allergic reaction;
  8. understanding building and physical premises safety, including identification and protection from hazards that can cause bodily injury, such as electric hazards, bodies of water, and vehicular traffic;
  9. handling, storing, and disposing of hazardous materials; and
  10. precautions in transporting children if the child care home plans to transport a child whose chronological or developmental age is less than nine years.

The primary caregiver in a licensed child care home must meet these additional requirements:
- One of the following combinations of education and experience in a licensed child care center, licensed child care home, or registered child care home:
1. A bachelor’s degree with 12 college credit hours in child development, three college credit hours in management, and at least one year of experience;
2. An associate of applied science degree in child development or a closely related field, with six college credit hours in child development, three college credit hours in management, and at least one year of experience;
3. Sixty college credit hours, with six college credit hours in child development, three college credit hours in management, and at least one year of experience;
4. 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;
5. A child care administrator's certificate from a community college with at least 15 college credit hours in child development, three college credit hours in management, and at least two years of experience;
6. A day care administrator's credential issued by a professional organization or an educational institution and approved by CCL, and at least two years of experience; or
7. 72 clock hours of training in child development, 30 clock hours in management, and at least three years of experience.

- The primary caregiver in a listed family home must:
  1. be at least 18 years of age; and
  2. have been cleared by a background check.

4. School-age
   -- How does the State/territory define school-age (age range):
   Five years and older who will attend school at or away from the home beginning in August or September of that year.

   -- Ratio:
   1:12

   -- Group size:
   12

   -- Teacher/caregiver qualifications:
   For registered and licensed child care homes, the primary caregiver must:
   - be at least 21 years of age;
   - have a high school diploma or its equivalent;
   - have a certificate of completion of the licensing orientation within one year of
- have current certification in cardiopulmonary resuscitation (CPR) and first aid with rescue breathing;
- have been cleared by a background check; and
- have proof of training in:
  1. recognizing and preventing shaken baby syndrome and abusive head trauma;
  2. understanding and using safe sleep practices and preventing sudden infant death syndrome (SIDS);
  3. understanding early childhood brain development;
  4. emergency preparedness;
  5. preventing and controlling the spread of communicable diseases, including immunizations;
  6. administering medication, if applicable;
  7. preventing and responding to emergencies due to food poisoning or an allergic reaction;
  8. understanding building and physical premises safety, including identification and protection from hazards that can cause bodily injury, such as electric hazards, bodies of water, and vehicular traffic;
  9. handling, storing, and disposing of hazardous materials; and
  10. precautions in transporting children if the child care home plans to transport a child whose chronological or developmental age is less than nine years.

The primary caregiver in a licensed child care home must meet these additional requirements:
- One of the following combinations of education and experience in a licensed child care center, licensed child care home, or registered child care home:
  1. A bachelor's degree with 12 college credit hours in child development, three college credit hours in management, and at least one year of experience;
  2. An associate of applied science degree in child development or a closely related field, with six college credit hours in child development, three college credit hours in management, and at least one year of experience;
  3. Sixty college credit hours, with six college credit hours in child development, three college credit hours in management, and at least one year of experience;
  4. 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;
  5. A child care administrator's certificate from a community college with at least 15 college credit hours in child development, three college credit hours in management, and at least two years of experience;
  6. A day care administrator's credential issued by a professional organization or an educational institution and approved by CCL, and at least two years of experience; or
7. 72 clock hours of training in child development, 30 clock hours in management, and at least three years of experience.
- The primary caregiver in a listed family home must:
  1. be at least 18 years of age; and
  2. have been cleared by a background check.

5. If any of the responses above are different for exempt family child care homes, please describe which requirements apply to exempt homes
   N/A

   c) In-home CCDF providers:
   1. Describe the ratios
      1:12
   2. Describe the group size
      12
   3. Describe the maximum number of children that are allowed in the home at any one time.
      To be eligible as a CCDF relative-only listed home, the provider must be providing care to at least one related child.
   4. Describe if the state/territory requires related children to be included in the child-to-provider ratio or group size
      12
   5. Describe any limits on infants and toddlers or additional school-age children that are allowed for part of the day
      All children must be related to the provider.

5.2 Health and Safety Standards and Requirements for CCDF Providers

5.2.2 Health and safety standards for CCDF providers.
States and territories must establish health and safety standards for programs (e.g., child care centers, family child care homes, etc.) serving children receiving CCDF assistance relating to the topics listed below, as appropriate to the provider setting and age of the children served (98.41(a)). This requirement is applicable to all child care providers receiving CCDF funds regardless of licensing status (i.e., licensed or license-exempt). The only exception to this requirement is for providers who are caring for their own relatives because Lead Agencies have the option of exempting relatives from some or all CCDF health and safety requirements (98.42(c)).

a) To certify, describe how the following health and safety standards for programs serving children receiving CCDF assistance are defined and established on the required topics (98.16(l)). Note: This question is different from the health and safety training requirements, which are addressed in question 5.2.3.

1. Prevention and control of infectious diseases (including immunization)
   -- Provide a brief summary of how this standard is defined (i.e., what is the standard, content covered, practices required, etc.)

   All providers eligible to receive CCDF must obtain immunization records (or an exemption from immunizations) and a health statement for each child in care. Providers must have policies for immunizations, vaccine preventable diseases, and health checks. Providers must adhere to the local health authority's requirements regarding tuberculosis testing for children and employees. Employees and children must wash hands throughout the day at specific times, including after diapering and toileting. Multiple standards require sanitation of the class environment to prevent and control infectious disease.

   -- List all citations for these requirements, including those for licensed and license-exempt programs

-- Describe any variations by category of care (i.e., center, FCC, in-home) and licensing status (i.e., licensed, license-exempt).
The only providers eligible to provide in-home care are individuals related to the child. Relative-only providers are exempt from these requirements.

-- Describe any variations based on the age of the children in care
Hand sanitizer may be used only for children two years and older.

-- Describe if relatives are exempt from this requirement
Relative-only providers are exempt from these requirements.

2. Prevention of sudden infant death syndrome and the use of safe-sleep practices
-- Provide a brief summary of how this standard is defined (i.e., what is the standard, content covered, practices required, etc.)
For all providers eligible to receive CCDF, minimum standards:
- include standards for cribs;
- prohibit certain types of equipment;
- require that infants be placed on their backs to sleep;
- prohibit sleeping in restrictive devices; and
- prohibit swaddling.

Minimum standards also require providers to have a safe-sleep policy and require parents to sign an enrollment agreement, which includes a copy of the policy.

-- List all citations for these requirements, including those for licensed and license-exempt providers

-- Describe any variations by category of care (i.e., center, FCC, in-home) and licensing status (i.e., licensed, license-exempt).
The only providers eligible to provide in-home care are individuals related to the child. Relative-only providers are exempt from these requirements.
-- Describe any variations based on the age of the children in care
None

-- Describe if relatives are exempt from this requirement
Relative-only providers are exempt from these requirements.

3. Administration of medication, consistent with standards for parental consent
-- Provide a brief summary of how this standard is defined (i.e., what is the standard, content covered, practices required, etc.)
For all providers eligible to receive CCDF, minimum standards require providers to have a policy regarding the procedures for dispensing medication and require parents to sign an enrollment agreement, which includes a copy of the policy. Minimum standards also:
- require authorization from a parent for the provider to administer medications (except in the event of a medical emergency);
- include instructions on how to administer and store medication;
- include guidance on how to document the administration of medication; and
- require that medication records be kept for at least three months

-- List all citations for these requirements, including those for licensed and license-exempt providers

-- Describe any variations by category of care (i.e., center, FCC, in-home) and licensing status (i.e., licensed, license-exempt).
The only providers eligible to provide in-home care are individuals related to the child. Relative-only providers are exempt from these requirements.

-- Describe any variations based on the age of the children in care
None
-- Describe if relatives are exempt from this requirement
Relative-only providers are exempt from these requirements.

4. Prevention of and response to emergencies due to food and allergic reactions

-- Provide a brief summary of how this standard is defined (i.e., what is the standard, content covered, practices required, etc.)
For all providers eligible to receive CCDF, minimum standards define a food-allergy emergency plan and contain guidance about when a food-allergy emergency plan is required. A food-allergy plan is defined as an individualized plan prepared by the child's health care professional that includes:
- A list of each food the child is allergic to;
- Possible symptoms if exposed to a food on the list; and
- The steps to take if the child has an allergic reaction.
- Post a list of each child's food allergies that require an emergency plan;
- Obtain information about a child's allergies before admitting a child to the child care facility;
- Take a copy of a child's food-allergy emergency plan and allergy medications on field trips; and
- Ensure that the child is not served food that is identified on the child's food-allergy emergency plan

-- List all citations for these requirements, including those for licensed and license-exempt providers

-- Describe any variations by category of care (i.e., center, FCC, in-home) and licensing status (i.e., licensed, license-exempt).
Child care homes are not required to post a list of each child's food allergies that require an emergency plan if the home ensures that everyone serving food is aware of each child's allergies. The only providers eligible to provide in-home care are individuals related to the child. Relative-only providers are exempt from these requirements.
-- Describe any variations based on the age of the children in care
None

-- Describe if relatives are exempt from this requirement
Relative-only providers are exempt from these requirements.

5. Building and physical premises safety, including the identification of and protection from hazards that can cause bodily injury, such as electrical hazards, bodies of water, and vehicular traffic

-- Provide a brief summary of how this standard is defined (i.e., what is the standard, content covered, practices required, etc.)
For all providers eligible to receive CCDF, minimum standards require providers to take safety precautions to ensure that areas accessible to children are free from hazards, including:
- electrical outlets and connections
- air conditioners, heaters, and fans
- sliding-glass doors
- play materials and equipment
- poisonous or potentially harmful plants
- storage chests, boxes, or trunks
- bodies of water, including pools, hot tubs, ponds, creeks, birdbaths, fountains, buckets, and barrels; televisions
- dangerous individuals; and
- unsafe children's products.

Minimum standards prohibit the presence of firearms and other weapons on the premises of a child care center (except for firearms and other weapons carried by certified peace officers and security officers). Minimum standards for child care homes require that weapons be locked and stored out of reach of children.

-- List all citations for these requirements, including those for licensed and license-exempt providers
--- Describe any variations by category of care (i.e., center, FCC, in-home) and licensing status (i.e., licensed, license-exempt).

The requirements for firearms and weapons is different for centers and homes, as described above. The only providers eligible to provide in-home care are individuals related to the child. Relative-only providers are exempt from these requirements.

--- Describe any variations based on the age of the children in care

None

--- Describe if relatives are exempt from this requirement

Relative-only providers are exempt from these requirements.

6. Prevention of shaken baby syndrome, abusive head trauma, and child maltreatment

--- Provide a brief summary of how this standard is defined (i.e., what is the standard, content covered, practices required, etc.)

Minimum standards require employees to ensure that no child is abused or neglected while in care of the center and to report suspected abuse or neglect. The standards also list acceptable and prohibited forms of discipline and guidance.

--- List all citations for these requirements, including those for licensed and license-exempt providers


--- Describe any variations by category of care (i.e., center, FCC, in-home) and licensing status (i.e., licensed, license-exempt).

The only providers eligible to provide in-home care are individuals related to the child. Relative-only providers are exempt from these requirements.

--- Describe any variations based on the age of the children in care

None

--- Describe if relatives are exempt from this requirement

Relative-only providers are exempt from these requirements.
7. 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 section 602(a)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5195a(a)(1)). Emergency preparedness and response planning (at the child care provider level) must also include procedures for evacuation; relocation; shelter-in-place and lockdown; staff and volunteer training and practice drills; communications and reunification with families; continuity of operations; and accommodations for infants and toddlers, children with disabilities, and children with chronic medical conditions.

-- Provide a brief summary of how this standard is defined (i.e., what is the standard, content covered, practices required, etc.)

Minimum standards define "emergency preparedness plan" and detail the situations that the plan must include (evacuation, relocation, sheltering and lockdown, communication, documentation, continuity of care, and reunification). Minimum standards also require operations to post emergency evacuation plans, have an emergency preparedness plan, share the emergency preparedness plan with parents, practice components of the emergency preparedness plan, maintain documentation of emergency drills, and have and post emergency evacuation and relocation diagrams.

-- List all citations for these requirements, including those for licensed and license-exempt providers


-- Describe any variations by category of care (i.e., center, FCC, in-home) and licensing status (i.e., licensed, license-exempt).

Child care homes are not required to post emergency evacuation and relocation diagrams, but a copy of the diagrams must be ready for immediate use by a substitute caregiver if a substitute is left in charge. The only providers eligible to provide in-home care are individuals related to the child. Relative-only providers are exempt from these requirements.
-- Describe any variations based on the age of the children in care
None

-- Describe if relatives are exempt from this requirement
Relative-only providers are exempt from these requirements.

8. Handling and storage of hazardous materials and the appropriate disposal of bio-contaminants

-- Provide a brief summary of how this standard is defined (i.e., what is the standard, content covered, practices required, etc.)
For all providers eligible to receive CCDF, minimum standards require providers to clearly mark cleaning supplies and other toxic materials and keep them away from food and inaccessible to children; use, store, and dispose of hazardous materials as recommended by the manufacturer; wash hands after handling cleaners, toxic materials, and bodily fluids; and wear gloves when handling blood.

-- List all citations for these requirements, including those for licensed and license-exempt providers

-- Describe any variations by category of care (i.e., center, FCC, in-home) and licensing status (i.e., licensed, license-exempt).
The only providers eligible to provide in-home care are individuals related to the child. Relative-only providers are exempt from these requirements.

-- Describe any variations based on the age of the children in care
None

-- Describe if relatives are exempt from this requirement
Relative-only providers are exempt from these requirements.

9. Precautions in transporting children (if applicable)
Minimum standards require providers to obtain a parent or guardian's permission to transport the children in their care; have a transportation policy; prohibit alcohol, controlled substances, and smoking while transporting; maintain vehicles in safe operating condition; take safety precautions when loading and unloading children; use passenger safety seat systems; require the use of safety belts for caregivers and drivers; carry documentation of the names of the children being transported and safety equipment, including a fire extinguisher, first-aid kit, and driver's license; have a plan to handle transportation emergencies; have communication requirements while transporting children; and, under certain circumstances, have an electronic child-safety alarm installed.


Child care homes are not required to have a transportation policy or have an electronic child-safety alarm system installed under any circumstance. The only providers eligible to provide in-home care are individuals related to the child. Relative-only providers are exempt from these requirements.

None

Relative-only providers are exempt from these requirements.
10. Pediatric first aid and cardiopulmonary resuscitation (CPR) certification

-- Provide a brief summary of how this standard is defined (i.e., what is the standard, content covered, practices required, etc.)

For all providers eligible to receive CCDF, minimum standards require that CPR training and recertification to adhere to the guidelines for cardiopulmonary resuscitation for laypersons established by the American Heart Association.

-- List all citations for these requirements, including those for licensed and license-exempt providers

See 26 TAC §§744.1315, 746.1315, 747.1313.

-- Describe any variations by category of care (i.e., center, FCC, in-home) and licensing status (i.e., licensed, license-exempt).

The only providers eligible to provide in-home care are individuals related to the child. Relative-only providers are exempt from these requirements.

-- Describe any variations based on the age of the children in care

None

-- Describe if relatives are exempt from this requirement

Relative-only providers are exempt from these requirements.

11. Recognition and reporting of child abuse and neglect

-- Provide a brief summary of how this standard is defined (i.e., what is the standard, content covered, practices required, etc.)

Minimum standards require directors be responsible for ensuring that:
- their employees report abuse and neglect;
- the provider’s policies that are provided to parents include instructions on how to report abuse and neglect;
- employees are responsible for ensuring that no child is abused or neglected and for reporting suspected abuse or neglect;
- the provider trains employees on the provider’s policies about the prevention, recognition, and reporting of abuse or neglect, including:
  1. factors indicating a child is at risk of abuse or neglect;
  2. warning signs a child might be a victim of abuse or neglect;
  3. procedures for reporting abuse or neglect; and
4. Information about community organizations that have additional training on the topic.

-- List all citations for these requirements, including those for licensed and license-exempt providers

-- Describe any variations by category of care (i.e., center, FCC, in-home) and licensing status (i.e., licensed, license-exempt).
The only providers eligible to provide in-home care are individuals related to the child. Relative-only providers are exempt from these requirements.

-- Describe any variations based on the age of the children in care
None

-- Describe if relatives are exempt from this requirement
Relative-only providers are exempt from these requirements.

b) Does the Lead Agency include any of the following optional standards?

☐ No, if no, skip to 5.2.3.
☒ Yes, if yes provide the information related to the optional standards addressed.

1. Nutrition

-- Provide a brief summary of how this standard is defined (i.e., what is the standard, content covered, practices required, etc.)
Minimum standards include requirements for how often to provide snacks and meals; daily food requirements for meals and snacks; and accommodating special diets. Most minimum standards regarding nutrition meet the current Child and Adult Care Food Program guidelines.

-- List all citations for these requirements, including those for licensed and license-exempt providers
See 26 TAC §§744.2401 - 744.2423, 746.2419, 746.2421, 746.3301 - 746.3321,
--Describe any variations by category of care (i.e., center, FCC, in-home) and licensing status (i.e., licensed, license-exempt).
The only providers eligible to provide in-home care are individuals related to the child. Relative-only providers are exempt from these requirements.

-- Describe any variations based on the age of the children in care.
Minimum standards have specific requirements for feeding infants and specify a child's daily food needs by the following age groups: 12 months through 2 years; three years through five years; six years and older. Minimum standards also prohibit serving fruit or vegetable juice to children younger than 12 months and specifies the permissible amount of juice to serve to children in the following age groups: 12 months through 5 years; six years and older.

--Describe if relatives are exempt from this requirement
Relative-only providers are exempt from these requirements.

2. Access to physical activity
--Provide a brief summary of how this standard is defined (i.e., what is the standard, content covered, practices required, etc.)
Minimum standards require providers to provide all children ages 18 months and older with the opportunity for outdoor play twice a day, weather permitting. Infants are required to have the opportunity for outdoor play at least once a day. The daily activity plan must contain a balance of active and quiet play, which includes group and individual activities.

-- List all citations for these requirements, including those for licensed and license-exempt providers

-Describe any variations by category of care (i.e., center, FCC, in-home) and licensing status (i.e., licensed, license-exempt).
The only providers eligible to provide in-home care are individuals related to the child. Relative-only providers are exempt from these requirements.

-- Describe any variations based on the age of the children in care.
Minimum standards do not require it, but CCL recommends children ages 18 months and older be allowed 60 to 90 total minutes of outdoor time each day. Minimum standards include specific requirements for what types of activities must be provided by the following age groups: infants; toddlers; pre-kindergarten; school-age

--Describe if relatives are exempt from this requirement
Relative-only providers are exempt from these requirements.

3. Caring for children with special needs
--Provide a brief summary of how this standard is defined (i.e., what is the standard, content covered, practices required, etc.)
Minimum standards require operations to ensure that children who need special care due to disabling or limiting conditions receive the care recommended by a health care professional or by qualified individuals affiliated with the local school district or early childhood intervention program. Information about the special needs requirements must be obtained at admission. A child with special needs must be integrated into food service, activities, and the emergency preparedness plan.

-- List all citations for these requirements, including those for licensed and license-exempt providers

--Describe any variations by category of care (i.e., center, FCC, in-home) and licensing status (i.e., licensed, license-exempt).
The only providers eligible to provide in-home care are individuals related to the child. Relative-only providers are exempt from these requirements.
-- Describe any variations based on the age of the children in care.
N/A

--Describe if relatives are exempt from this requirement
Relative-only providers are exempt from these requirements.

4. Any other areas determined necessary to promote child development or to protect children's health and safety (98.44(b)(1)(iii)).

Describe:
N/A

--Provide a brief summary of how this standard is defined (i.e., what is the standard, content covered, practices required, etc.)

1) Minimum standards include requirements for diapering, including how and when diapers must be changed, what equipment is required, and how to prevent the spread of germs when diapering children.
2) Minimum standards prohibit the use of tobacco products in or on the grounds of an operation.
3) Minimum standards require that operations be equipped with a working carbon monoxide detection system.
4) Minimum standards require annual fire inspections for centers.

-- List all citations for these requirements, including those for licensed and license-exempt providers

For requirement 1, see 26 TAC §§746.3501 - 746.3505 and 747.3301 - 747.3307.
For requirement 2, see TAC §§744.2603, 746.3703, and 747.3503.
For requirement 3, see 26 TAC §§744. 3731 - 744.3757, 746.5531 - 746.5357, and 747.5331 - 747.5337.
For requirement 4, see 26 TAC §§744.3501 - 744.3505 and 746.5101 - 746.5105.

--Describe any variations by category of care (i.e., center, FCC, in-home) and licensing status (i.e., licensed, license-exempt).
The only providers eligible to provide in-home care are individuals related to the child. Relative-only providers are exempt from these requirements.

For requirement 2, Child care homes are prohibited from tobacco use only during operating hours. The only providers eligible to provide in-home care are individuals related to the child. Relative-only providers are exempt from these requirements.

Requirement 4 is not applicable to child care homes. The only providers eligible to provide in-home care are individuals related to the child. Relative-only providers are exempt from these requirements.

-- Describe any variations based on the age of the children in care.
N/A

--Describe if relatives are exempt from this requirement
Relative-only providers are exempt from these requirements.

5.2.3 Health and safety training for CCDF providers on required topics.

Lead Agencies are required to have minimum pre-service or orientation training requirements (to be completed within 3 months), as appropriate to the provider setting and the age of children served, that address the health and safety topics described in 5.2.2, and child development. Lead Agencies must also have ongoing training requirements on the health and safety topics for caregivers, teachers, and directors of children receiving CCDF funds (658E(c)(2)(I)(i); 98.44(b)(1)(iii)). The state/territory must describe its requirements for pre-service or orientation training and ongoing training. These trainings should be part of a broader systematic approach and progression of professional development (as described in section 6) within a state/territory. Lead Agencies have flexibility in determining the number of training hours to require, but they may consult with Caring for our Children Basics for best practices and the recommended time needed to address these training requirements.

Pre-Service or Orientation Training Requirements

a) Provide the minimum number of pre-service or orientation training hours on health and safety topics for caregivers, teachers, and directors required for the following:
1. Licensed child care centers:
Minimum standards for licensed child care centers (including before- and after-school programs and school-age programs) require all employees to complete orientation within seven days of employment. Minimum standards require specific content to be covered during orientation, but they do not include requirements for a minimum number of hours. Caregivers at licensed child care centers must receive 24 hours of preservice training. Eight of the 24 hours must be completed before being counted in children-to-caregiver ratio. The remaining hours must be completed within 90 days of employment. Caregivers at before- and after-school programs and school-age programs must receive eight hours of preservice training, which must be completed before being counted in children-to-caregiver ratio. Orientation and preservice training hours include, but are not limited to, health and safety topics.

2. Licensed FCC homes:
Minimum standards for child care homes require all employees to complete orientation within seven days of employment. Minimum standards require specific content to be covered during orientation, but they do not include requirements for a minimum number of hours. The primary caregiver of a child care home must complete additional training before receiving a permit. Orientation includes, but is not limited to, health and safety topics.

3. In-home care:
The only providers eligible to provide in-home care are individuals related to the child. Relative-only providers are exempt from these requirements.

4. Variations for exempt provider settings:
N/A

b) Provide the length of time that providers have to complete trainings subsequent to being hired (must be 3 months or fewer)
Employees in licensed centers and child care homes have seven days to complete orientation. Caregivers in licensed child care centers have 90 days to complete preservice training. A primary caregiver in a child care home must receive all training before receiving a permit.
c) Explain any differences in pre-service or orientation training requirements based on the ages of the children served
There is no difference in the number of preservice/orientation hours required for caregivers based off ages of children served.

d) Describe how the training is offered, including any variations in delivery (e.g. across standards, in rural areas, etc.) Note: There is no federal requirement on how a training must be delivered
Most training may be obtained through instructor-led training, self-instructional training, or self-study training; however, CPR training may not be self-instructional or self-study.

e) Identify below the pre-service or orientation training requirements for each topic (98.41(a)(1)(i through xi)).

1. Prevention and control of infectious diseases (including immunizations)
   Provide the citation for this training requirement, including citations for both licensed and license-exempt providers
   See 26 TAC §§744.1305, 746.1305, 747.1007, 747.1107, 747.1301 (primary caregivers in child care homes must have this training before receiving a permit).

   Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in licensed CCDF programs are allowed to care for children unsupervised?
   ☐ Yes
   ☑ No

   Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in license-exempt CCDF programs are allowed to care for children unsupervised?
   ☐ Yes
   ☑ No

   Describe if relatives are exempt from this requirement
   Relative-only providers are exempt from these requirements. Texas does not have any non-relative providers that are license-exempt.
5.2.3e 2. Prevention of sudden infant death syndrome and the use of safe-sleep practices

Provide the citation for this training requirement, including citations for both licensed and license-exempt providers

See 26 TAC §§746.1305, 747.1007, 747.1107, 747.1301 (primary caregivers in child care homes must have this training before receiving a permit).

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in licensed CCDF are allowed to care for children unsupervised?

☐ Yes
☒ No

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in license-exempt CCDF programs are allowed to care for children unsupervised?

☐ Yes
☒ No

Describe if relatives are exempt from this requirement

Relative-only providers are exempt from these requirements. Texas does not have any non-relative providers that are license-exempt.

5.2.3e 3. Administration of medication, consistent with standards for parental consent

Provide the citation for this training requirement, including citations for both licensed and license-exempt providers

See 26 TAC §§744.1303, 746.1303, 747.1007, 747.1107, 747.1301 (primary caregivers in child care homes must have this training before receiving a permit).

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in licensed CCDF programs are allowed to care for children unsupervised?

☐ Yes
Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in license-exempt CCDF programs are allowed to care for children unsupervised?

☑ No

Describe if relatives are exempt from this requirement

Relative-only providers are exempt from these requirements. Texas does not have any non-relative providers that are license-exempt.

5.2.3e 4. Prevention and response to emergencies due to food and allergic reactions

Provide the citation for this training requirement, including citations for both licensed and license-exempt providers

See 26 TAC §§744.1303, 746.1303, 747.1007, 747.1107, 747.1301 (primary caregivers in child care homes must have this training before receiving a permit).

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in licensed CCDF programs are allowed to care for children unsupervised?

☑ No

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in license-exempt CCDF programs are allowed to care for children unsupervised?

☑ No

Describe if relatives are exempt from this requirement

Relative-only providers are exempt from these requirements. Texas does not have any non-relative providers that are license-exempt.

5.2.3e 5. Building and physical premises safety, including the identification of and protection from hazards, bodies of water, and vehicular traffic
Provide the citation for this training requirement, including citations for both licensed and license-exempt providers
See 26 TAC §§744.1303, 746.1303, 747.1007, 747.1107, 747.1301 (primary caregivers in child care homes must have this training before receiving a permit).

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in licensed CCDF programs are allowed to care for children unsupervised?
☐ Yes
☒ No

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in license-exempt CCDF programs are allowed to care for children unsupervised?
☐ Yes
☒ No

Describe if relatives are exempt from this requirement
Relative-only providers are exempt from these requirements. Texas does not have any non-relative providers that are license-exempt.

5.2.3e 6. Prevention of shaken baby syndrome, abusive head trauma, and child maltreatment

Provide the citation for this training requirement, including citations for both licensed and license-exempt providers
See 26 TAC §§746.1303, 746.1305, 747.1007, 747.1107, 747.1301 (primary caregivers in child care homes must have this training before receiving a permit).

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in licensed CCDF programs are allowed to care for children unsupervised?
☐ Yes
☒ No

Does the state/territory require that this training topic be completed before
caregivers, teachers, and directors in license-exempt CCDF programs are allowed to care for children unsupervised?

☐ Yes
☒ No

Describe if relatives are exempt from this requirement

Relative-only providers are exempt from these requirements. Texas does not have any non-relative providers that are license-exempt.

5.2.3e 7. Emergency preparedness and response planning for emergencies resulting from a natural disaster or a human-caused event

Provide the citation for this training requirement, including citations for both licensed and license-exempt providers

See 26 TAC §§744.1303, 746.1303, 747.1007, 747.1107, 747.1301 (primary caregivers in child care homes must have this training before receiving a permit).

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in licensed CCDF programs are allowed to care for children unsupervised?

☐ Yes
☒ No

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in license-exempt CCDF programs are allowed to care for children unsupervised?

☐ Yes
☒ No

Describe if relatives are exempt from this requirement

Relative-only providers are exempt from these requirements. Texas does not have any non-relative providers that are license-exempt.

5.2.3e 8. Handling and storage of hazardous materials and the appropriate disposal of bio contaminants

Provide the citation for this training requirement, including citations for both licensed and license-exempt providers
See 26 TAC §§744.1303, 746.1303, 747.1007, 747.1107, 747.1301 (primary caregivers in child care homes must have this training before receiving a permit).

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in licensed CCDF programs are allowed to care for children unsupervised?

☐ Yes
☒ No

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in license-exempt CCDF programs are allowed to care for children unsupervised?

☐ Yes
☒ No

Describe if relatives are exempt from this requirement

Relative-only providers are exempt from these requirements. Texas does not have any non-relative providers that are license-exempt.

5.2.3e 9. Appropriate precautions in transporting children (if applicable)

Provide the citation for this training requirement, including citations for both licensed and license-exempt providers

See 26 TAC §§744.1303, 744.1317, 746.1303, 746.1316, 747.1007, 747.1107, 747.1301, and 747.1314 (training is not required before caring for children unsupervised, but it is required before being allowed to transport children).

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in licensed CCDF programs are allowed to care for children unsupervised?

☐ Yes
☒ No

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in license-exempt CCDF programs are allowed to care for children unsupervised?

☐ Yes
☐ No
Describe if relatives are exempt from this requirement

Relative-only providers are exempt from these requirements. Texas does not have any non-relative providers that are license-exempt.

5.2.3e 10. Pediatric first aid and CPR certification

Provide the citation for this training requirement, including citations for both licensed and license-exempt providers


(The primary caregiver in a child care home must have training on first aid with rescue breathing, choking-intervention, and CPR for infants, children, and adults before receiving a permit. Current minimum standards for licensed centers require that one caregiver per group of children have current training in first aid with rescue breathing and choking-intervention and one caregiver or employee per center have training in CPR for infants, children, and adults. Minimum standards for first aid training do not specify that the training must be pediatric-based. CCL anticipates proposing rules in May 2018 to require that all caregivers have pediatric first aid and CPR within 90 days of employment; however, the proposed rules will require a caregiver to complete first aid training before caring for children unsupervised. The anticipated effective date of these rule changes is October 2018.)

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in licensed CCDF programs are allowed to care for children unsupervised?

☐ Yes
☒ No

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in license-exempt CCDF programs are allowed to care for children unsupervised?

☐ Yes
☒ No
Describe if relatives are exempt from this requirement
Relative-only providers are exempt from these requirements. Texas does not have any non-relative providers that are license-exempt.

5.2.3e 11. Recognition and reporting of child abuse and neglect
Provide the citation for this training requirement, including citations for both licensed and license-exempt providers
See 26 TAC §§744.1303, 746.1303, 747.1301. (Current minimum standards do not require primary caregivers of child care homes to have this training before receiving a permit. CCL anticipates proposing rules in May 2018 to require all primary caregivers to have training in recognizing and reporting abuse and neglect before receiving a permit. The anticipated effective date of this rule change is October 2018)

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in licensed CCDF programs are allowed to care for children unsupervised?
☐ Yes
☒ No

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in license-exempt CCDF programs are allowed to care for children unsupervised?
☐ Yes
☒ No

Describe if relatives are exempt from this requirement
Relative-only providers are exempt from these requirements. Texas does not have any non-relative providers that are license-exempt.

5.2.3e 12. Child development (98.44(b)(1)(iii))
Provide the citation for this training requirement, including citations for both licensed and license-exempt providers
See 26 TAC §§744.1305, 746.1305, 747.1007, 747.1107, 747.1301. (Current
minimum standards require the primary caregiver of a child care home to have training in understanding early childhood brain development before receiving a permit and require that caregivers receive information during orientation about early childhood brain development. CCL anticipates proposing rules in May 2018 to require all primary caregivers to have training in understanding the developmental stages of children before receiving a permit and all caregivers to receive information during orientation about the developmental stages of children. The anticipated effective date of these rule changes is October 2018.

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in licensed CCDF programs are allowed to care for children unsupervised?

☑️ No

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in license-exempt CCDF programs are allowed to care for children unsupervised?

☑️ No

Describe if relatives are exempt from this requirement
Relative-only providers are exempt from these requirements. Texas does not have any non-relative providers that are license-exempt.

5.2.3e 13.
Describe other training requirements, such as nutrition, physical activities, caring for children with special needs, etc..
Orientation topics must also include: an overview of minimum standards; an overview of the operation's operational policies, including discipline and guidance; procedures for release of children. Pre-service training must also include: positive guidance and discipline, fostering children's self-esteem; supervision and safety practices; and positive interaction with children.
Provide the citation for this training requirement, including citations for both licensed and license-exempt providers


Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in licensed CCDF programs are allowed to care for children unsupervised?

☐ Yes
☒ No

Does the state/territory require that this training topic be completed before caregivers, teachers, and directors in license-exempt CCDF programs are allowed to care for children unsupervised?

☐ Yes
☒ No

Describe if relatives are exempt from this requirement

Relative-only providers are exempt from these requirements. Texas does not have any non-relative providers that are license-exempt.

Ongoing Training Requirements

5.2.4 Provide the minimum number of annual training hours on health and safety topics for caregivers, teachers, and directors required for the following.

a) Licensed child care centers:

A director of a licensed child care center must receive 30 hours of training annually, and caregivers must receive 24 hours of training annually; an operation or program director of a before- or after-school or school-age program must receive 20 hours of training annually, and caregivers must receive 15 hours of training annually. These training hours are exclusive of requirements for orientation, preservice training, CPR and first aid training, and transportation-safety training.
b) Licensed FCC homes:
The primary caregiver in a child care home must receive 30 hours of training annually. Other caregivers in a registered child care home must receive 15 hours of training annually. Other caregivers in a licensed child care home must receive 24 hours of training annually. These training hours are exclusive of any requirements for orientation, preservice training, CPR and first aid training, and transportation-safety training.

c) In-home care:
The only providers eligible to provide in-home care are individuals related to the child. Relative-only providers are exempt from these requirements.

d) Variations for exempt provider settings:
N/A

5.2.5 Describe the ongoing health and safety training for CCDF providers by category of care (i.e., center, FCC, in-home) and licensing status (i.e., licensed, license-exempt).

1. Prevention and control of infectious diseases (including immunizations)
   -- Provide the citation for this training requirement, including citations for both licensed and license-exempt providers

   -- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed CCDF programs?
   ☑️ Annually
   ☐ Other
   Describe:

   -- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed-exempt CCDF programs?
2. Prevention of sudden infant death syndrome and the use of safe-sleep practices

-- Provide the citation for this training requirement, including citations for both licensed and license-exempt providers


-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed CCDF programs?

☐ Annually
☐ Other

Describe:

N/A

3. Administration of medication, consistent with standards for parental consent

-- Provide the citation for this training requirement, including citations for both licensed and license-exempt providers


-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed-exempt CCDF programs?

☐ Annually
☐ Other

Describe:

N/A
4. Prevention and response to emergencies due to food and allergic reactions

-- Provide the citation for this training requirement, including citations for both licensed and license-exempt providers


-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed CCDF programs?

☑️ Annually

☐ Other

Describe:

N/A

5. Building and physical premises safety, including the identification of and protection from hazards, bodies of water, and vehicular traffic
-- Provide the citation for this training requirement, including citations for both licensed and license-exempt providers

-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed CCDF programs?

☑ Annually
☐ Other
Describe:

-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed-exempt CCDF programs?

☐ Annually
☑ Other
Describe:
N/A

6. Prevention of shaken baby syndrome, abusive head trauma, and child maltreatment

-- Provide the citation for this training requirement, including citations for both licensed and license-exempt providers

-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed CCDF programs?

☑ Annually
☐ Other
Describe:

-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed-exempt CCDF programs?
7. Emergency preparedness and response planning for emergencies resulting from a natural disaster or a human-caused event

-- Provide the citation for this training requirement, including citations for both licensed and license-exempt providers


-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed CCDF programs?

☐ Annually

☐ Other

Describe:

N/A

8. Handling and storage of hazardous materials and the appropriate disposal of bio-contaminants

-- Provide the citation for this training requirement, including citations for both licensed and license-exempt providers


-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed-exempt CCDF programs?

☐ Annually

☐ Other

Describe:

N/A
caregivers, teachers, and directors in licensed CCDF programs?

- Annually
- Other

Describe:

-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed-exempt CCDF programs?

- Annually
- Other

Describe:

N/A

9. Appropriate precautions in transporting children (if applicable)

-- Provide the citation for this training requirement, including citations for both licensed and license-exempt providers

See 26 TAC §§744.1317, 746.1316, 747.1307, 747.1314.

-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed CCDF programs?

- Annually
- Other

Describe:

-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed-exempt CCDF programs?

- Annually
- Other

Describe:

N/A

10. Pediatric first aid and CPR certification
-- Provide the citation for this training requirement, including citations for both licensed and license-exempt providers
See 26 TAC §§744.1315, 746.1315, 747.1007, 747.1107, 747.1209, 747.1313. (The primary caregiver in a child care home must have training in first aid with rescue breathing, choking intervention, and CPR for infants, children, and adults. Current minimum standards for licensed centers require that one caregiver per group of children have current training in first aid with rescue breathing and choking intervention and one caregiver or employee per center have training in CPR for infants, children, and adults. Minimum standards do not specify that the first aid training must be pediatric-based. CCL anticipates proposing rules in May 2018 to require that all caregivers have ongoing pediatric first aid and CPR training. The anticipated effective date of this rule change is October 2018.)

-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed CCDF programs?

☐ Annually  
☒ Other

Describe:
The certification must be current. Some certifications are valid for up to three years.

-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed-exempt CCDF programs?

☐ Annually  
☒ Other

Describe:
N/A

11. Recognition and reporting of child abuse and neglect
-- Provide the citation for this training requirement, including citations for both licensed and license-exempt providers
See 26 TAC §§746.1309, 746.1311. (CCL anticipates proposing a rule in May 2018 to require all caregivers and directors in before- or after-school programs, school-age
programs, and child care homes to have annual training in the recognition and reporting of child abuse and neglect. The anticipated effective date of this rule change is October 2018.

-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed CCDF programs?

☑️ Annually

☐ Other
Describe:

-- How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed-exempt CCDF programs?

☐ Annually

☑️ Other
Describe:
N/A

12. Child development (98.44(b)(1)(iii))

Provide the citation for this training requirement, including citations for both licensed and license-exempt providers


How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed CCDF programs?

☑️ Annually

☐ Other
Describe:

How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed-exempt CCDF programs?
13. Describe other requirements such as nutrition, physical activities, caring for children with special needs, etc.

Minimum standards allow remaining annual training hours that are not filled by the required topics to be in one or more of the following topics:

- Caring for children with special needs
- Child health
- Safety
- Risk management
- Identification and care of ill children
- Cultural diversity
- Professional development
- Topics relevant to the ages of children in care (for example, biting, toileting training)
- Planning developmentally appropriate learning activities
- Observation and assessment
- Attachment and responsive caregiving

Directors and primary caregivers also must receive training in management techniques, leadership, and/or staff supervision annually.

Provide the citation for other training requirements, including citations for both licensed and license-exempt providers


How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed CCDF programs?

- [x] Annually
- [ ] Other
Describe:

How often does the state/territory require that this training topic be completed by caregivers, teachers, and directors in licensed-exempt CCDF programs?

- [ ] Annually
- [x] Other

Describe:

N/A

5.3 Monitoring and Enforcement Policies and Practices for CCDF Providers

5.3.1 Enforcement of licensing and health and safety requirements

Lead agencies must certify that procedures are in effect to ensure that child care providers caring for children receiving CCDF services comply with all applicable State and local health and safety requirements, including those described in 98.41 (98.42(a)). This may include, but is not limited to, any systems used to ensure that providers complete health and safety trainings, any documentation required to be maintained by child care providers or any other monitoring procedures to ensure compliance. Note: Inspection requirements are described starting in 5.3.2.

To certify, describe the procedures to ensure that CCDF providers comply with all applicable State and local health and safety requirements

CCL is responsible for promulgating and enforcing minimum standards for regulated providers. CCL has three sets of minimum standards based on the type of provider: Minimum Standards for Child Care Centers, Minimum Standards for Before- or After-School Care and School-Age Programs, and Minimum Standards for Child Care Homes. These minimum standards are stated in 26 TAC §§746, 744, and 747 respectively. These minimum standards have comprehensive requirements related to health and safety, including required training, by which child care providers must abide. Licensing staff enforces compliance with minimum standards through inspections, investigations, and technical assistance. If Licensing staff identifies a compliance deficiency, the staff follows up with the provider to verify that the deficiency was corrected. If the provider is unable to meet the standards fully or demonstrates a pattern of noncompliance that threatens the health and safety of children,
Licensing may impose an enforcement action. The policy and procedures that Licensing uses to enforce minimum standards, licensing rules, and statute are documented in the Licensing Policy and Procedures Handbook and are governed by Human Resources Code, Chapter 42, and 40 TAC, §745.

5.3.2 Inspections for licensed CCDF providers.

Lead agencies must require licensing inspectors to perform inspections—without no fewer than one pre-licensure inspection for compliance with health, safety, and fire standards—of each child care provider and facility in the state/territory. Licensing inspectors are required to perform no fewer than one annual, unannounced inspection of each licensed CCDF provider for compliance with all child care licensing standards; it shall include an inspection for compliance with health and safety (including, but not limited to, those requirements described in 98.41) and fire standards; inspectors may inspect for compliance with all three standards—health, safety, and fire—at the same time (658E(c)(2)(K)(i)(II); 98.16 (n); 98.42(b)(2)(i)). Certify by responding to the questions below to describe your state/territory’s monitoring and enforcement procedures to ensure that licensed child care providers comply with licensing standards, including compliance with health and safety (including, but not limited to, those requirements described in 98.41) and fire standards.

a) Licensed CCDF center-based child care
   1. Describe your state/territory's requirements for pre-licensure inspections of licensed child care center providers for compliance with health, safety, and fire standards
      The purpose of this inspection is to evaluate the applicant's compliance with minimum standards, including applicable health, safety, and fire requirements. CCL conducts an inspection after a prospective provider's application has been accepted but before issuing the applicant a permit.

   2. Describe your state/territory's requirements for annual, unannounced inspections of licensed CCDF child care center providers
      CCL must conduct at least one unannounced inspection per year at each licensed child care operation.
3. Identify the frequency of unannounced inspections:
   - [ ] Once a year
   - [ ] More than once a year
   Describe:

4. Describe the monitoring procedures (including differential monitoring, if applicable) and how the inspections ensure that child care center providers comply with the applicable licensing standards, including health, safety, and fire standards.

   CCL staff must evaluate compliance with all minimum standards every two years and must conduct at least one health and safety audit during an unannounced inspection each year. A health and safety audit is a review of core measures related to minimum standards regarding health, and safety, and fire.

   If the operation is deficient in two or more core measures within a content area, Licensing staff must review the entire subchapter in which the core measure is located. The core measures included in the health and safety audit include all the health and safety requirements in 45 CFR §98.41(a).

5. List the citation(s) for your state/territory's policies regarding inspections for licensed CCDF center providers

   See 40 TAC §745.8401-8415; Licensing Policy and Procedures Handbook (LPPH) 4000: http://www.dfps.state.tx.us/handbooks/Licensing/Menu/MenuLIC4000.asp.

b) Licensed CCDF family child care home

   1. Describe your state/territory's requirements for pre-licensure inspections of licensed family child care providers for compliance with health, safety, and fire standards

      The purpose of this inspection is to evaluate the applicant's compliance with minimum standards, including applicable health, safety, and fire requirements, except for listed family homes. CCL conducts an inspection after a prospective provider's application has been accepted but before issuing the applicant a permit.

   2. Describe your state/territory's requirements for annual, unannounced inspections of licensed CCDF family child care providers

      CCL must conduct at least one unannounced inspection per year at each licensed
CCDF child care home, except for listed family homes. The only CCDF providers that are listed family homes are relative-only providers.

3. Identify the frequency of unannounced inspections:

- [ ] Once a year
- [ ] More than once a year

Describe:

4. Describe the monitoring procedures (including differential monitoring, if applicable) and how the inspections ensure that CCDF family child care providers comply with the applicable licensing standards, including health, safety, and fire standards.

CCL regulates three types of child care homes: licensed child care homes, registered child care homes, and listed family homes. For licensed child care homes, Licensing staff must evaluate compliance with all minimum standards every two years and must conduct at least one health and safety audit during an unannounced inspection each year. A health and safety audit is a review of core measures related to minimum standards regarding health, safety, and fire. If the operation is deficient in two or more core measures within a content area, Licensing staff must review the entire subchapter in which the core measure is located. The core measures included in the health and safety audit include all the health and safety requirements in 45 CFR §98.41(a). For registered child care homes that are CCDF providers, Licensing evaluates annually all minimum standards, which are inclusive of all health and safety requirements. Licensing does not inspect listed family homes. The only CCDF providers that are listed family homes are relative-only providers.

5. List the citation(s) for your state/territory's policies regarding inspections for licensed CCDF family child care providers

- 40 TAC §745.8401-8415; Licensing Policy and Procedures Handbook (LPPH) 4000:
  - http://www.dfps.state.tx.us/handbooks/Licensing/Menu/MenuLIC4000.asp

  c) Licensed in-home CCDF child care
N/A. In-home CCDF child care (care in the child’s own home) is not licensed in the State/Territory. Skip to 5.3.2 (d).

1. Describe your state/territory's requirements for pre-licensure inspections of licensed in-home child care providers for compliance with health, safety, and fire standards.

2. Describe your state/territory's requirements for annual, unannounced inspections of licensed CCDF in-home child providers.

3. Identify the frequency of unannounced inspections:
   - [ ] Once a year
   - [ ] More than once a year
   - [ ] Describe:

4. Describe the monitoring procedures (including differential monitoring, if applicable) and how the inspections ensure that in-home CCDF child care providers comply with the applicable licensing standards, including health, safety, and fire standards.

5. List the citation(s) for your state/territory's policies regarding inspections for licensed in-home CCDF providers.

d) List the entity(ies) in your state/territory that are responsible for conducting pre-licensure inspections and unannounced inspections of licensed CCDF providers.

The Child Care Licensing division of the Texas Health and Human Services Commission.

5.3.3 Inspections for license-exempt CCDF providers

Lead Agencies must have policies and practices that require licensing inspectors (or qualified monitors designated by the Lead Agency) to perform an annual monitoring visit of each license-exempt CCDF provider for compliance with health, safety (including, but not limited to, those requirements described in 98.41), and fire standards (658E(c)(2)(K)(i)(IV); 98.42(b)(2)(ii)). Lead Agencies have the option to exempt relative providers (as described in section (658P(6)(B)) from this requirement. To certify, respond to the questions below to describe the policies and
practices for the annual monitoring of:

a) License-exempt center-based CCDF providers, including if monitoring is announced or unannounced, occurs more frequently than once per year, and if differential monitoring is used
CCL does not regulate any license-exempt provider that is eligible for CCDF.

Provide the citation(s) for this policy or procedure
N/A

b) License-exempt family child care CCDF providers, including if monitoring is announced or unannounced, occurs more frequently than once per year, and if differential monitoring is used
CCL does not regulate any license-exempt provider that is eligible for CCDF.

Provide the citation(s) for this policy or procedure
N/A

c) License-exempt in-home CCDF providers, including if monitoring is announced or unannounced, occurs more frequently than once per year, if relative care is exempt from monitoring, and if differential monitoring is used
CCL does not regulate any license-exempt provider that is eligible for CCDF.

Provide the citation(s) for this policy or procedure
N/A

d) Lead Agencies have the option to develop alternate monitoring requirements for care provided in the child's home (98.42(b)(2)(iv)(B)). Does your state use alternate monitoring procedures for monitoring in-home care?

☐ No
☒ Yes. If yes, describe:
Only caregivers related to the child may provide care in the child's home. Relative-only providers are exempt from any type of monitoring, including differential monitoring.
e) List the entity(ies) in your state/territory that are responsible for conducting inspections of license-exempt CCDF providers

N/A

5.3.4 Licensing inspectors.

Lead Agencies will have policies and practices that ensure that individuals who are hired as licensing inspectors (or qualified monitors designated by the Lead Agency) are qualified to inspect child care providers and facilities and have received health and safety training appropriate to the provider setting and age of the children served. Training shall include, but is not limited to, those requirements described in 98.41(a)(1) and all aspects of the State's licensure requirements (658E(c)(2)(K)(i)(I); 98.42(b)(1-2)).

a) To certify, describe how the Lead Agency ensures that licensing inspectors (or qualified monitors designated by the Lead Agency) are qualified to inspect child care facilities and providers and that those inspectors have received training on health and safety requirements that are appropriate to the age of the children in care and the type of provider setting (98.42(b)(1-2)).

Individuals hired to be inspectors are required to have at least a bachelor's degree and must complete the Basic Skills Development (BSD) course. BSD includes four weeks of pre-classroom work and 10 weeks of classroom 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. Licensing inspectors have an opportunity to advance in their careers when tenure and ongoing training requirements are met in accordance with the HHSC inspector classification series and certification policy.

b) Provide the citation(s) for this policy or procedure

See HHSC’s Human Resources Manual, Human Resources Code §42.021(c).
5.3.5 The states and territories shall have policies and practices that require the ratio of licensing inspectors to child care providers and facilities in the state/territory to be maintained at a level sufficient to enable the state/territory to conduct effective inspections of child care providers and facilities on a timely basis in accordance with federal, state, and local laws (658E(c)(2)(K)(i)(III); 98.42(b)(3)).

a) To certify, describe the state/territory policies and practices regarding the ratio of licensing inspectors to child care providers (i.e. number of inspectors per number of child care providers) and facilities in the state/territory and include how the ratio is sufficient to conduct effective inspections on a timely basis.

CCL uses historical data to calculate the number of full-time employees needed to maintain current ratios when a new regulatory activity (such as increased inspections) is added or when changes occur that increase the span of regulation (for example, a change to exemptions that requires more operations to be regulated). CCL leadership developed several reports to help plan for and evaluate workloads. The reports provide information on core functions, including inspections, investigations, applications, and enforcement actions. The data are regularly analyzed and reviewed so that adjustments to workloads can be made as needed. This policy has helped CCL to conduct more timely inspections. In fiscal year 2017, CCL conducted timely inspections 96.3 percent of the time; for the first five months of fiscal year 2018, that percentage has increased to 98.4 percent.

b) Provide the policy citation and state/territory ratio of licensing inspectors

Human Resources Code §42.021(c); 1:78

5.3.6 States and territories have the option to exempt relatives (defined in CCDF regulations as grandparents, great-grandparents, siblings if living in a separate residence, aunts, and uncles (98.42(c)) from inspection requirements. Note: This exception only applies if the individual cares only for relative children. Does the state/territory exempt relatives from the inspection requirements listed in 5.3.3?
If the state/territory exempts relatives from all inspection requirements, describe how the state ensures the health and safety of children in relative care.

To be eligible for CCDF, relative-only providers must have a permit as a listed family home. CCL does not routinely inspect listed family homes, but it does have the authority to investigate relative-only providers when Licensing receives a report that the caregiver is administering medication without written authorization from the child's parent or guardian or for any other reason that indicates an immediate risk of danger to the health and safety of a child (Texas Human Resources Code §42.044(c-1)). DFPS is authorized to investigate any allegation of abuse or neglect in a relative-only listed family home.

Yes, relatives are exempt from all inspection requirements.

If the state/territory exempts relatives from all inspection requirements, describe how the state ensures the health and safety of children in relative care.

Yes, relatives are exempt from some inspection requirements.

If the state/territory exempts relatives from some inspection requirements, describe which inspection requirements do not apply to relative providers (including which relatives may be exempt) and how the State ensures the health and safety of children in relative care.

No, relatives are not exempt from inspection requirements.

5.4 Criminal Background Checks

The CCDBG Act requires states and territories to have in effect requirements, policies and procedures to conduct criminal background checks for all child care staff members (including prospective staff members) of all child care programs that are 1) licensed, regulated, or registered under state/territory law; or, 2) all other providers eligible to deliver CCDF services (e.g., license-exempt CCDF eligible providers) (98.43(a)(1)(i)). Background check requirements apply to any staff member who is employed by a child care provider for compensation, including contract employees and self-employed individuals; whose activities involve the care or supervision of children; or who has unsupervised access to children (98.43(2)). For FCC homes, this requirement includes the caregiver and any other adults residing in the family child care home who are age 18 or older (98.43(2)(ii)(C)). This requirement does not apply to individuals who are related to all children for whom child care services are provided (98.43(2)(B)(ii)).

A criminal background check must include 8 specific components (98.43(2)(b)), which encompass 3 in-state checks, 2 national checks, and 3 inter-state checks.
In recognition of the significant challenges to implementing the Child Care and Development
Fund (CCDF) background check requirements, all States applied for and received extensions through September 30, 2018. The Office of Child Care (OCC)/Administration for Children and Families (ACF)/U. S. Department of Health and Human Services (HHS) is committed to granting additional waivers of up to 2 years, in one year increments (i.e., potentially through September 30, 2020) if significant milestones for background check requirements are met.

In order to receive these time-limited waivers, states and territories will demonstrate that the milestones are met by responding to questions 5.4.1 through 5.4.4 and then apply for the time-limited waiver by completing the questions in Appendix A: Background Check Waiver Request Form. By September 30, 2018, states and territories must have requirements, policies and procedures for four specific background check components, and must be conducting those checks for all new (prospective) child care staff, in accordance with 98.43 and 98.16(o):

--The national FBI fingerprint check; and,
--The three in-state background check provisions for the current state of residency:

<table>
<thead>
<tr>
<th>Components</th>
<th>New (Prospective) Staff</th>
<th>Existing Staff</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Criminal registry or repository using fingerprints in the current state of residency</td>
<td>Milestone/Prerequisite for Waiver</td>
<td>Possible Time Limited Waiver for current</td>
</tr>
<tr>
<td>Milestone/Prerequisite for Waiver</td>
<td>Possible Time Limited Waiver for:</td>
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<td>----------------------------------</td>
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<tr>
<td>2. Sex offender registry or repository check in the current state of residency (existing) staff</td>
<td>--Establishing requirements and procedures and/or --Conducting checks on all new (prospective) staff and/or --Conducting checks on current (existing) staff</td>
<td></td>
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<tr>
<td>3. Child abuse and neglect registry and database check in the current state of residency (existing) staff</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. FBI fingerprint check (existing) staff</td>
<td></td>
<td></td>
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<tr>
<td>5. National Crime Information Center (NCIC) National Sex Offender Registry (NSOR) (existing) staff</td>
<td>Possible Time Limited Waiver for: --Establishing requirements and procedures and/or --Conducting checks on all new (prospective) staff and/or --Conducting checks on current (existing) staff</td>
<td></td>
</tr>
<tr>
<td>6. Criminal registry or repository in any other state where the individual has resided in the past 5 years, with the use of fingerprints being optional (existing) staff</td>
<td>Possible Time Limited Waiver for: --Establishing requirements and procedures and/or --Conducting checks on all new (prospective) staff and/or --Conducting checks on current (existing) staff</td>
<td></td>
</tr>
<tr>
<td>7. Sex offender registry or repository in any other state where the individual has resided in the past 5 years (existing) staff</td>
<td>Possible Time Limited Waiver for: --Establishing requirements and procedures and/or --Conducting checks on all new (prospective) staff and/or --Conducting checks on current (existing) staff</td>
<td></td>
</tr>
<tr>
<td>8. Child abuse and neglect registry and database in any other state where the individual has resided in the past 5 years (existing) staff</td>
<td>Possible Time Limited Waiver for: --Establishing requirements and procedures and/or --Conducting checks on all new (prospective) staff and/or --Conducting checks on current (existing) staff</td>
<td></td>
</tr>
</tbody>
</table>

Use the questions below to describe the status of the requirements, policies and procedures for background check requirements. These descriptions must provide sufficient information to demonstrate how the milestone prerequisites are being met and the status of the other components that are not part of the milestone. Lead Agencies have the opportunity to submit a waiver request in Appendix A: Background Check Waiver Request Form, for components not included in the milestones. Approval of these waiver requests will be subject to verification that the milestone components have been met as part of the CCDF Plan review and approval process.
In-state Background Check Requirements

5.4.1 In-State Criminal Registry or Repository Checks with Fingerprints Requirements (98.43(b)(3)(i)).

Note: A search of a general public facing judicial website does not satisfy this requirement. This check is required in addition to the national FBI criminal history check (5.4.4 below) to mitigate any gaps that may exist between the two sources.

a) Milestone #1 Prerequisite for New (Prospective) Child Care Staff: Describe the requirements, policies and procedures for the search of the in-state criminal registry or repository, with the use of fingerprints required in the state where the staff member resides.

i. Describe how these requirements, policies and procedures apply to all licensed, regulated, or registered child care providers, in accordance with 98.43(a)(1)(i) and 98.16(o). Describe and provide citations

These requirements are currently outlined in Texas Human Resources Code 42.056 as well as Texas Administrative Code (TAC) Rule §745.615. At the time of submission of this plan, these two items are not in precise agreement. However, Child Care Licensing has drafted rule revisions to TAC that will bring these resources into alignment with one another. The drafted rules were originally posted for public comment on October 6, 2017, with an anticipated adoption in early to mid-2018. However, delays and changes with the technology project that would assist with implementation of the new requirements led to CCL withdrawing the rule packet. A second version of the proposed rules, with few substantive changes from those originally proposed, are currently under review by HHSC leadership and should be posted for public comment by the August 31, 2018. The anticipated adoption date of these revised rules is January 13, 2019, which coincides with the scheduled implementation of the technology changes to support the revised rules. Below, details can be found of current processes, statute, and rules which we believe meet the requirements of Milestone #1.

A search of an individual's Texas criminal history is required for all individuals affiliated with licensed child care operations, licensed child care homes, and registered child care
homes. The investigation is done via a fingerprint-based criminal history search on the following individuals at licensed child care centers: (1) directors, owners, and operators of the operation; (2) all current and prospective employees of the operation; and (3) all other individuals at least 14 years of age who are counted in the child-to-caregiver ratio or otherwise have unsupervised access to children in care. This fingerprint-based criminal history search returns results from both the Federal Bureau of Investigation’s (FBI) national criminal history database and the Texas Department of Public Safety’s (DPS) database of criminal history in Texas.

Additionally, individuals in licensed child care operations who do not have unsupervised access to children in care but who are regularly or frequently present at a child care operation, such as volunteers, are required to have a Texas criminal history check, and minimum standards allow this check to be satisfied via a name-based search of the DPS database. These individuals must complete a fingerprint-based check only if the individual resided outside of Texas in the five years before the background check request.

Licensed child care operations, licensed child care homes, and registered child care homes are required to submit background check requests to CCL, and the Centralized Background Check Unit completes the background checks using the following processes: (1) Fingerprint-based criminal history checks are conducted by providing the person's fingerprints to DPS, and DPS and the FBI then conduct comparative searches of their respective criminal history databases using the person's fingerprints; (2) Name-based Texas criminal history checks are conducted by providing the person's information to DPS after which DPS conducts a search of the name in the DPS criminal history database.

All licensed child care operations, licensed child care homes, and registered child care homes must meet these requirements as part of Texas minimum standards to receive a permit. Prospective operations and homes must fulfill these requirements before receiving a permit, and operations and homes are cited upon failure to complete background check requirements for new staff members.

Currently, all household members over the age of 14 in listed family homes, registered child care homes, and licensed child care homes are required to undergo an FBI
fingerprint check, a Texas DPS fingerprint check, and a Texas central registry check. Specifically, the current Texas Administrative Code outlines the following persons as needing the Texas criminal history check:

- The director, owner, and operator of the operation;
- Each person employed at the operation;
- Each prospective employee at the operation;
- Each current or prospective foster parent providing foster care through a child-placing agency;
- Each prospective adoptive parent seeking to adopt through a child-placing agency;
- Each person at least 14 years of age, other than a client in care, who:
  1. is counted in child-to-caregiver rations in accordance with the relevant minimum standards;
  2. will reside in a prospective adoptive home if the adoption is through a child-placing agency;
  3. has unsupervised access to children in care at the operation; or
  4. resides in the operation;
- Each person 14 years of age or older, other than a client in care, who will regularly or frequently be staying or working at an operation or prospective adoptive home while children are in care; and
- Each substitute employee, unless you confirm that the organization providing the substitute employee has completed a background check for the person through DFPS within the last 24 months.

Listed family homes that only care for related children are not required to complete the fingerprint check but instead undergo a name-based Texas DPS check and the Texas central registry check. However, if they have lived outside of the state within the last five years, they are then required to complete the fingerprint check.

ii. Describe how these requirements, policies and procedures apply to all other providers eligible to deliver CCDF services (e.g., license-exempt CCDF eligible providers), in accordance with 98.43(a)(1)(i) and 98.16(o). Describe and provide citations

TAC Rule §809.2(18) defines a provider eligible to receive child care subsidies as:

(A) a regulated child care provider as defined in §809.2(18);
(B) a relative child care provider as defined in §809.2(19); or
(C) a listed family home as defined in §809.2(13), subject to the requirements in §809.91(b).

Listed family homes that provide care only to children who are related to the owner are required to complete only a name-based Texas criminal history check and Texas abuse and neglect history check unless they have lived outside of the state within the last five years.
years. The citations to support these requirements are the same as those noted in 5.4.1 (a)(i): Texas Human Resources Code 42.056, Texas Administrative Code (TAC) Rule §745.615 and drafted rule revisions to TAC Chapter 745.

As described in §809.2(19), regulated providers are those licenced by or registered with CCL as well as those operated and monitored by the United States military services. Department of Defense rule establishes policy, assigns responsibilities, and provides procedures to conduct criminal history checks on individuals involved in the provision of child care services for children under the age of 18 in DoD child care programs.

Additionally, TAC Rule §809.91(a)(3) grants Boards the option to provide subsidies to children attending child care providers licensed in a neighboring state. For these out-of-state providers, the Board must ensure the following requirements are met:

(A) Boards shall ensure that the Board's child care contractor reviews the licensing status of the out-of-state provider every month, at a minimum, to confirm the provider is meeting the minimum licensing standards of the state;
(B) Boards shall ensure that the out-of-state provider meets the requirements of the neighboring state to serve CCDF-subsidized children; and
(C) The provider shall agree to comply with the requirements of this chapter and all Board policies and Board child care contractor procedures.

b) Has the search of the in-state criminal registry or repository, with the use of fingerprints, been conducted for all current (existing) child care staff?

☑ Yes

Describe, if applicable, any differences in the process for existing staff than what was described for new staff and provide citations.

There are no differences in the processes for existing and new staff. Please refer to 40 TAC §745.615 and 42 HRC §42.056

☐ No. (Waiver request allowed. See Appendix A). Describe the status of conducting the search of the state criminal registry or repository, using fingerprints for current (existing) child care staff including:

-- Efforts to date to complete the requirement for all existing child care staff in licensed, regulated or registered programs
-- Efforts to date to complete the requirement for all existing child care staff in other programs eligible to receive CCDF services (e.g. license-exempt CCDF eligible providers)
-- Key challenges to fully implementing this requirements
-- Strategies used to address these challenges

Describe:

5.4.2 In-State Sex Offender Registry Requirements (98.43(b)(3)(B)(ii)).

Note: This check must be completed in addition to the national NCIC sex offender registry check (5.4.5 below) to mitigate any gaps that may exist between the two sources. Use of fingerprints is optional to conduct this check.

a) Milestone #2 Prerequisite for New (Prospective) Child Care Staff: Describe the requirements, policies and procedures for the search of the in-state sex offender registry.
   i. Describe how these requirements, policies and procedures apply to all licensed, regulated, or registered child care providers, in accordance with 98.43(a)(1)(i) and 98.16(o). Describe and provide citations

   The citations to support these requirements are the same as those noted in 5.4.1 (a)(i): Texas Human Resources Code 42.056, Texas Administrative Code (TAC) Rule §745.615 and drafted rule revisions to TAC Chapter 745. Below, details can be found of current processes, statute, and rules which we believe meet the requirements of Milestone #2.

   The search of the Texas sex offender registry is completed as part of the required criminal history check completed for the individual. When a fingerprint-based or name-based criminal history check is requested and the individual's information is sent to DPS for a comparative search of the DPS criminal history database, the history check includes a search of the Texas sex offender registry.

   To receive a permit, all licensed child care operations, licensed child care homes, and registered child care homes must meet these requirements as part of Texas minimum
standards. Prospective operations and homes must fulfill these requirements before receiving a permit, and operations and homes are cited upon failure to complete background check requirements for new staff members.

TAC Rule §809.2(18) defines a provider eligible to receive child care subsidies as:
(A) a regulated child care provider as defined in §809.2(18);
(B) a relative child care provider as defined in §809.2(19); or
(C) a listed family home as defined in §809.2(13), subject to the requirements in §809.91(b).

Listed family homes that provide care only to children who are related to the owner are required to complete only a name-based Texas criminal history check and Texas abuse and neglect history check unless they have lived outside of the state within the last five years. The state sex offender registry check is not conducted separately; it is included in the results received from DPS, either through a fingerprint check or the name-based check. The citations to support these requirements are the same as those noted in 5.4.1 (a)(i): Texas Human Resources Code 42.056, Texas Administrative Code (TAC) Rule §745.615 and drafted rule revisions to TAC Chapter 745.

As described in §809.2(19), regulated providers are those licensed by or registered with CCL as well as those operated and monitored by the United States military services. Department of Defense rule establishes policy, assigns responsibilities, and provides procedures to conduct criminal history checks on individuals involved in the provision of child care services for children under the age of 18 in DoD child care programs.

Additionally, TAC Rule §809.91(a)(3) grants Boards the option to provide subsidies to children attending child care providers licensed in a neighboring state. For these out-of-state providers, the Board must ensure the following requirements are met:
(A) Boards shall ensure that the Board's child care contractor reviews the licensing status of the out-of-state provider every month, at a minimum, to confirm the provider is meeting the minimum licensing standards of the state;
(B) Boards shall ensure that the out-of-state provider meets the requirements of the neighboring state to serve CCDF-subsidized children; and
(C) The provider shall agree to comply with the requirements of this chapter and all Board policies and Board child care contractor procedures.
ii. Describe how these requirements, policies and procedures apply to all other providers eligible to deliver CCDF services (e.g., license-exempt CCDF eligible providers), in accordance with 98.43(a)(1)(i) and 98.16(o). Describe and provide citations

The citations to support these requirements are the same as those noted in 5.4.1 (a)(i): Texas Human Resources Code 42.056, Texas Administrative Code (TAC) Rule §745.615 and drafted rule revisions to TAC Chapter 745.

Listed child care homes that provide care only to children who are related to the owner are required to complete only a name-based Texas criminal history check (which includes information retrieved from the Texas sex offender registry) and Texas abuse-and-neglect history check.

b) Has the search of the in-state sex offender registry been conducted for all current (existing) child care staff?

[ ] Yes

Describe, if applicable, any differences in the process for existing staff than what was described for new staff and provide citations.

There are no differences in the process for existing staff and new staff. These checks are conducted as outlined above and as required in 40 TAC §745.615 and 42 HRC §42.056

[ ] No. (Waiver request allowed. See Appendix A). Describe the status of conducting the search of the state criminal registry or repository, using fingerprints for current (existing) child care staff including:

-- Efforts to date to complete the requirement for all existing child care staff in licensed, regulated or registered programs
-- Efforts to date to complete the requirement for all existing child care staff in other programs eligible to receive CCDF services (e.g. license-exempt CCDF eligible providers)
-- Key challenges to fully implementing this requirements
-- Strategies used to address these challenges

Describe:
5.4.3 In-State Child Abuse and Neglect Registry Requirements (98.43(b)(3)(B)(iii)).

Note: This is a name-based search.

a) Milestone #3 Prerequisite for New (Prospective) Child Care Staff: Describe the requirements, policies and procedures for the search of the in-state child abuse and neglect registry.

   i. Describe how these requirements, policies and procedures apply to all licensed, regulated, or registered child care providers, in accordance with 98.43(a)(1)(i) and 98.16(o). Describe and provide citations

   The citations to support these requirements are the same as those noted in 5.4.1 (a)(i): Texas Human Resources Code 42.056, Texas Administrative Code (TAC) Rule §745.615 and drafted rule revisions to TAC Chapter 745. Below, details can be found of current processes, statute, and rules which we believe meet the requirements of Milestone #3.

   All individuals affiliated with licensed child care operations, licensed child care homes, and registered child care homes are required to have a Texas abuse and neglect registry check with their background check. Licensed child care operations, licensed child care homes, and registered child care homes are required to submit background check requests to CCL, and the Centralized Background Check Unit completes the comparative search of the individual's name with the Texas Department of Family and Protective Services Texas abuse and neglect registry.

   All licensed child care operations, licensed child care homes, and registered child care homes must meet these requirements as part of Texas minimum standards to receive a permit. Prospective operations and homes must fulfill these requirements before receiving a permit, and operations and homes are cited upon failure to complete background check requirements for new staff members.

   ii. Describe how these requirements, policies and procedures apply to all other providers eligible to deliver CCDF services (e.g., license-exempt CCDF eligible providers), in
accordance with 98.43(a)(1)(i) and 98.16(o). Describe and provide citations
The citations to support these requirements are the same as those noted in 5.4.1 (a)(i):
Texas Human Resources Code 42.056, Texas Administrative Code (TAC) Rule §745.615 and drafted rule revisions to TAC Chapter 745.

Listed child care homes that provide care only to children who are related to the owner are required to complete only a name-based Texas criminal history check and Texas abuse and neglect history check.

b) Has the search of the in-state child abuse and neglect registry been conducted for all current (existing) child care staff?

☑ Yes
Describe, if applicable, any differences in the process for existing staff than what was described for new staff and provide citations.
There are no differences in the process for existing staff and new staff. These checks are conducted as outlined above and as required in 40 TAC §745.615(a) and 42 HRC §42.056

☐ No. (Waiver request allowed. See Appendix A). Describe the status of conducting the search of the state child abuse and neglect registry for current (existing) child care staff including:
-- Efforts to date to complete the requirement for all existing child care staff in licensed, regulated or registered programs
-- Efforts to date to complete the requirement for all existing child care staff in other programs eligible to receive CCDF services (e.g. license-exempt CCDF eligible providers)
-- Key challenges to fully implementing this requirements
-- Strategies used to address these challenges
Describe:
National Background Check Requirements

5.4.4 National FBI Criminal Fingerprint Search Requirements (98.43(b)(1)).

Note: The in-state (5.4.1 above) and the inter-state (5.4.6 below) criminal history check must be completed in addition to the FBI fingerprint check because there could be state crimes that do not appear in the national repository. Also note, that an FBI fingerprint check satisfies the requirement to perform an interstate check of another State’s criminal history records repository if the responding state (where the child care staff member has resided within the past five years) participates in the National Fingerprint File program (CCDF-ACF-PIQ-2017-01).

a) Milestone #4 Prerequisite for New (Prospective) Child Care Staff. Describe the requirements, policies and procedures for the search of the National FBI fingerprint check.

i. Describe how these requirements, policies and procedures apply to all licensed, regulated, or registered child care providers, in accordance with 98.43(a)(1)(i) and 98.16(o). Describe and provide citations

The citations to support these requirements are the same as those noted in 5.4.1 (a)(i): Texas Human Resources Code 42.056, Texas Administrative Code (TAC) Rule §745.615 and drafted rule revisions to TAC Chapter 745. Below, details can be found of current processes, statute, and rules which we believe meet the requirements of Milestone #4.

All individuals affiliated with licensed child care operations, licensed child care homes, and registered child care homes who are employees, are permitted unsupervised access to children in care, or individuals who have resided outside of Texas in the five years before their background check request are required to complete a fingerprint-based national and Texas criminal history check. Fingerprints are submitted using Next Generation Identification through a third-party vendor contracted with DPS. Licensed child care operations, licensed child care homes, and registered child care homes are required to submit background check requests to CCL, and the Centralized Background Check Unit completes the background checks. Fingerprint-based criminal history checks are conducted by providing the individual's fingerprints to DPS, and, using the individual's
fingerprints, DPS and the FBI conduct comparative searches of their respective criminal history databases.

To receive a permit, all licensed child care operations, licensed child care homes, and registered child care homes must meet these requirements as part of Texas minimum standards. Prospective operations and homes must fulfill these requirements before receiving a permit, and operations and homes are cited upon failure to complete background check requirements for new staff members.

Currently, all household members over the age of 14 in listed family homes, registered child care homes, and licensed child care homes are required to undergo an FBI fingerprint check, a Texas DPS fingerprint check, and a Texas central registry check. Specifically, the current Texas Administrative Code outlines the following persons as needing the Texas criminal history check:
- The director, owner, and operator of the operation;
- Each person employed at the operation;
- Each prospective employee at the operation;
- Each person at least 14 years of age, other than a client in care, who:
  1. is counted in child-to-caregiver rations in accordance with the relevant minimum standards;
  2. will reside in a prospective adoptive home if the adoption is through a childplacing agency;
  3. has unsupervised access to children in care at the operation; or
  4. Resides in the operation;
- Each person 14 years of age or older, other than a client in care, who will regularly or frequently be staying or working at an operation or prospective adoptive home while children are in care; and
- Each substitute employee, unless you confirm that the organization providing the substitute employee has completed a background check for the person through DFPS within the last 24 months.

Listed family homes that only care for related children are not required to complete the fingerprint check but instead undergo a name-based Texas DPS check and the Texas central registry check. However, if they have lived outside of the state within the last five years, they are then required to complete the fingerprint check.

ii. Describe how these requirements, policies and procedures apply to all other providers eligible to deliver CCDF services (e.g., license-exempt CCDF eligible providers), in accordance with 98.43(a)(1)(i) and 98.16(o). Describe and provide citations TAC Rule §809.2(18) defines a provider eligible to receive child care subsidies as:
(A) a regulated child care provider as defined in §809.2(18);
(B) a relative child care provider as defined in §809.2(19); or
(C) a listed family home as defined in §809.2(13), subject to the requirements in
§809.91(b).

Listed family homes that provide care only to children who are related to the owner are required to complete only a name-based Texas criminal history check and Texas abuse and neglect history check unless they have lived outside of the state within the last five years. The citations to support these requirements are the same as those noted in 5.4.1 (a)(i): Texas Human Resources Code 42.056, Texas Administrative Code (TAC) Rule §745.615 and drafted rule revisions to TAC Chapter 745.

As described in §809.2(19), regulated providers are those licenced by or registered with CCL as well as those operated and monitored by the United States military services. Department of Defense rule establishes policy, assigns responsibilities, and provides procedures to conduct criminal history checks on individuals involved in the provision of child care services for children under the age of 18 in DoD child care programs.

Additionally, TAC Rule §809.91(a)(3) grants Boards the option to provide subsidies to children attending child care providers licensed in a neighboring state. For these out-of-state providers, the Board must ensure the following requirements are met:
(A) Boards shall ensure that the Board's child care contractor reviews the licensing status of the out-of-state provider every month, at a minimum, to confirm the provider is meeting the minimum licensing standards of the state;
(B) Boards shall ensure that the out-of-state provider meets the requirements of the neighboring state to serve CCDF-subsidized children; and
(C) The provider shall agree to comply with the requirements of this chapter and all Board policies and Board child care contractor procedures.

b) For all current (existing) child care staff, has the FBI criminal fingerprint check been conducted?

☑ Yes

Describe, if applicable, any differences in the process for existing staff than what was described for new staff and provide citations.
There are no differences in the process for existing staff and new staff. These checks are conducted as outlined above and as required in 40 TAC §745.615(b) and HRC §42.056.

☐ No. (Waiver request allowed. See Appendix A). Describe the status of conducting the FBI fingerprint check for current (existing) child care staff including:
  - Efforts to date to complete the requirement for all existing child care staff in licensed, regulated or registered programs
  - Efforts to date to complete the requirement for all existing child care staff in other programs eligible to receive CCDF services (e.g. license-exempt CCDF eligible providers)
  - Key challenges to fully implementing this requirements
  - Strategies used to address these challenges
  Describe:

National Background Check Requirements

5.4.5 National Crime Information Center (NCIC) National Sex Offender Registry (NSOR) Search Requirements (98.43(b)(2)).

Note: This is a name-based search. Searching general public facing sex offender registries does not satisfy this requirement. This national check must be required in addition to the in-state (5.4.2 above) or inter-state (5.4.7 below) sex offender registry check requirements. This check must be performed by law enforcement.

a) Has the National Crime Information Center (NCIC) National Sex Offender Registry (NSOR) check been put in place for all new (prospective) child care staff
  ☐ Yes. If yes,
    i. Describe how these requirements, policies and procedures apply to all licensed, regulated, or registered child care providers, in accordance with 98.43(a)(1)(i) and 98.16(o). Describe and provide citations
ii. Describe how these requirements, policies and procedures apply to all other providers eligible to deliver CCDF services (e.g., license-exempt CCDF eligible providers), in accordance with 98.43(a)(1)(i) and 98.16(o). Describe and provide citations

☑️ No. (Waiver request allowed. See Appendix A). Describe the status of conducting the National Crime Information Center (NCIC) National Sex Offender Registry (NSOR) for new (prospective) child care staff including:

-- Efforts to date to complete the requirement for all existing child care staff in licensed, regulated or registered programs

-- Efforts to date to complete the requirement for all existing child care staff in other programs eligible to receive CCDF (e.g. license-exempt CCDF eligible providers)

-- Key challenges to fully implementing this requirements

-- Strategies used to address these challenges

Describe:

HHSC has been working with DPS, the state criminal history repository, to determine how this requirement can be implemented. The FBI has recently released some guidance to states, and DPS is determining how this guidance can be used to implement the check with current automation structures. DPS has not provided HHSC with specific technical guidance, indicating that the process can be automated by incorporating the search into other existing automated processes between our agencies. Once DPS determines the process that it will use for the check and provides HHSC with technical guidance, HHSC can determine the technological changes that are needed to incorporate the check. It does not appear that any technological changes can be absorbed within existing resources. Texas will be reliant upon a legislative appropriation to support implementation of this check type. HHSC has drafted a Legislative Appropriations Request for this funding that is under consideration by executive leadership. It is unknown at this time if the request will be presented to the legislature and if it is, whether it will be acted upon. Texas' legislative session begins in January 2019.

b) Has the National Crime Information Center (NCIC) National Sex Offender Registry (NSOR) check been put in place for all current (existing) child care staff?
Yes

Describe, if applicable, any differences in the process for existing staff than what was described for new staff and provide citations.

No. (Waiver request allowed. See Appendix A). Describe the status of conducting the National Crime Information Center (NCIC) National Sex Offender Registry (NSOR) check for current (existing) child care staff including:

-- Efforts to date to complete the requirement for all existing child care staff in licensed, regulated or registered programs
-- Efforts to date to complete the requirement for all existing child care staff in other programs eligible to receive CCDF services (e.g. license-exempt CCDF eligible providers)
-- Key challenges to fully implementing this requirements
-- Strategies used to address these challenges

Describe:

HHSC has been working with DPS, the state criminal history repository, to determine how this requirement can be implemented. The FBI has recently released some guidance to states, and DPS is determining how this guidance can be used to implement the check with current automation structures. DPS has not provided HHSC with specific technical guidance, indicating that the process can be automated by incorporating the search into other existing automated processes between our agencies. Once DPS determines the process that it will use for the check and provides HHSC with technical guidance, HHSC can determine the technological changes that are needed to incorporate the check. It does not appear that any technological changes can be absorbed within existing resources. Texas will be reliant upon a legislative appropriation to support implementation of this check type. HHSC has drafted a Legislative Appropriations Request for this funding that is under consideration by executive leadership. It is unknown at this time if the request will be presented to the legislature and if it is, whether it will be acted upon. Texas’ legislative session begins in January 2019.
Inter-state Background Check Requirements

Checking a potential employee's history in any state other than that in which the provider's services are provided qualifies as an inter-state check, per the definition of required criminal background checks in 98.43(b)(3). For example, an inter-state check would include situations when child care staff members work in one state and live in another state. The statute and regulations require background checks in the state where the staff member resides and each state where the staff member resided during the previous 5 years. Background checks in the state where the staff member is employed may be advisable, but are not strictly required.

5.4.6 Interstate Criminal Registry or Repository Check Requirement (including in any other state where the individual has resided in the past 5 years). (98.43 (b)(3)(i)).

Note: It is optional to use a fingerprint to conduct this check. Searching a general public facing judicial website does not satisfy this requirement. This check must be completed in addition to the national FBI history check (5.4.4 above) to mitigate any gaps that may exist between the two sources (unless the responding state participates in the National Fingerprint File program).

a) Has the interstate criminal registry or repository check been put in place for all new (prospective) child care staff?

☐ Yes. If yes,
   i. Describe how these requirements, policies and procedures apply to all licensed, regulated, or registered child care providers, in accordance with 98.43(a)(1)(i) and 98.16(o). Describe and provide citations

   ii. Describe how these requirements, policies and procedures apply to all other providers eligible to deliver CCDF services (e.g., license-exempt CCDF eligible providers), in accordance with 98.43(a)(1)(i) and 98.16(o). Describe and provide citations

☐ No. (Waiver request allowed. See Appendix A). Describe the status of conducting the the interstate criminal registry or repository check for new (prospective) child care staff including:

Texas
-- Efforts to date to complete the requirement for all existing child care staff in licensed, regulated or registered programs
-- Efforts to date to complete the requirement for all existing child care staff in other programs eligible to receive CCDF (e.g. license-exempt CCDF eligible providers)
-- Key challenges to fully implementing this requirement
-- Strategies used to address these challenges

Describe:

During the 85th Texas Legislature, Regular Session (2017), Texas Human Resources Code §42.056 was amended to allow for background checks using any registry, repository, or databases required by federal law. This change to Texas statute allows for interstate criminal history checks to occur in the future. Also, HHSC has proposed changes to administrative rules regarding interstate background check requirements for existing and prospective providers; it is anticipated that these rules will be effective by January 2019.

CCL hired an information technology (IT) contractor to make changes to the case management system for background checks. These technological changes will automate the process for instructing individuals when an interstate background check is required when an individual indicates that he or she has resided in during the past five years. The technological changes also will provide a field or fields in which the results of the checks can be documented manually once results are received. It is anticipated that these changes will be completed by January 2019.

After the new rules and changes are in place, HHSC must coordinate with existing providers and/or child care staff to be compliant with these new requirements. Reports will be compiled to identify providers and/or child care staff members who indicated that they resided out of state during the past five years. Once these reports are available, HHSC will communicate with existing providers and/or child care staff about the new requirement; the communication will detail what steps must be taken to comply with the requirement.

b) Has the interstate criminal registry or repository check been put in place for all current (existing) child care staff?
Yes

Describe, if applicable, any differences in the process for existing staff than what was described for new staff and provide citations.

No. (Waiver request allowed. See Appendix A). Describe the status of conducting the interstate criminal registry or repository check for current (existing) child care staff including:

-- Efforts to date to complete the requirement for all existing child care staff in licensed, regulated or registered programs

-- Efforts to date to complete the requirement for all existing child care staff in other programs eligible to receive CCDF services (e.g. license-exempt CCDF eligible providers)

-- Key challenges to fully implementing this requirements

-- Strategies used to address these challenges

Describe:

During the 85th Texas Legislature, Regular Session (2017), Texas Human Resources Code §42.056 was amended to allow for background checks using any registry, repository, or databases required by federal law. This change to Texas statute allows for interstate criminal history checks to occur in the future. Also, HHSC has proposed changes to administrative rules regarding interstate background check requirements for existing and prospective providers; it is anticipated that these rules will be effective by January 2019.

CCL hired an information technology (IT) contractor to make changes to the case management system for background checks. These technological changes will automate the process for instructing individuals when an interstate background check is required when an individual indicates that he or she has resided in during the past five years. The technological changes also will provide a field or fields in which the results of the checks can be documented manually once results are received. It is anticipated that these changes will be completed by January 2019.

After the new rules and changes are in place, HHSC must coordinate with existing providers and/or child care staff to be compliant with these new requirements. Reports will be compiled to identify providers and/or child care staff members who indicated that they resided out of state during the past five years. Once these reports are available,
HHSC will communicate with existing providers and/or child care staff about the new requirement; the communication will detail what steps must be taken to comply with the requirement.

5.4.7 Interstate Sex Offender Registry or Repository Check Requirements (including in any state where the individual has resided in the past 5 years). (98.43 (b)(3)(ii)).

Note: It is optional to use a fingerprint to conduct this check. This check must be completed in addition to the National Crime Information Center (NCIC) National Sex Offender Registry (NSOR) (5.4.5 above) to mitigate any gaps that may exist between the two sources.

a) Has the interstate sex offender registry or repository check been put in place for all new (prospective) child care staff?

☐ Yes. If yes,
   i. Describe how these requirements, policies and procedures apply to all licensed, regulated, or registered child care providers, in accordance with 98.43(a)(1)(i) and 98.16(o). Describe and provide citations

   ii. Describe how these requirements, policies and procedures apply to all other providers eligible to deliver CCDF services (e.g., license-exempt CCDF eligible providers), in accordance with 98.43(a)(1)(i) and 98.16(o). Describe and provide citations

☑ No. (Waiver request allowed. See Appendix A). Describe the status of conducting the interstate sex offender registry or repository check for new (prospective) child care staff including:
   -- Efforts to date to complete the requirement for all existing child care staff in licensed, regulated or registered programs
   -- Efforts to date to complete the requirement for all existing child care staff in other programs eligible to receive CCDF (e.g. license-exempt CCDF eligible providers)
   -- Key challenges to fully implementing this requirements
   -- Strategies used to address these challenges
Describe:
During the 85th Texas Legislature, Regular Session (2017), Texas Human Resources Code §42.056 was amended to allow for background checks using any registry, repository, or databases required by federal law. This change to Texas statute allows for interstate criminal history checks to occur in the future. Also, HHSC has proposed changes to administrative rules regarding interstate background check requirements for existing and prospective providers; it is anticipated that these rules will be effective by January 2019.

CCL hired an information technology (IT) contractor to make changes to the case management system for background checks. These technological changes will automate the process for instructing individuals when an interstate background check is required when an individual indicates that he or she has resided in during the past five years. The technological changes also will provide a field or fields in which the results of the checks can be documented manually once results are received. It is anticipated that these changes will be completed by January 2019.

After the new rules and changes are in place, HHSC must coordinate with existing providers and/or child care staff to be compliant with these new requirements. Reports will be compiled to identify providers and/or child care staff members who indicated that they resided out of state during the past five years. Once these reports are available, HHSC will communicate with existing providers and/or child care staff about the new requirement; the communication will detail what steps must be taken to comply with the requirement.

b) Has the interstate sex offender registry or repository check been put in place for all current (existing) child care staff?

☐ Yes

Describe, if applicable, any differences in the process for existing staff than what was described for new staff and provide citations.

☒ No. (Waiver request allowed. See Appendix A). Describe the status of conducting the interstate sex offender registry or repository check for current (existing) child care staff including:
During the 85th Texas Legislature, Regular Session (2017), Texas Human Resources Code §42.056 was amended to allow for background checks using any registry, repository, or databases required by federal law. This change to Texas statute allows for interstate criminal history checks to occur in the future. Also, HHSC has proposed changes to administrative rules regarding interstate background check requirements for existing and prospective providers; it is anticipated that these rules will be effective by January 2019.

CCL hired an information technology (IT) contractor to make changes to the case management system for background checks. These technological changes will automate the process for instructing individuals when an interstate background check is required when an individual indicates that he or she has resided in during the past five years. The technological changes also will provide a field or fields in which the results of the checks can be documented manually once results are received. It is anticipated that these changes will be completed by January 2019.

After the new rules and changes are in place, HHSC must coordinate with existing providers and/or child care staff to be compliant with these new requirements. Reports will be compiled to identify providers and/or child care staff members who indicated that they resided out of state during the past five years. Once these reports are available, HHSC will communicate with existing providers and/or child care staff about the new requirement; the communication will detail what steps must be taken to comply with the requirement.
5.4.8 Interstate Child Abuse and Neglect Check Registry Requirements (98.43 (b)(3)(iii)).

Note: This is a name-based search.

a) Has the interstate child abuse and neglect check been put in place for all new (prospective) child care staff?

☐ Yes. If yes,

i. Describe how these requirements, policies and procedures apply to all licensed, regulated, or registered child care providers, in accordance with 98.43(a)(1)(i) and 98.16(o). Describe and provide citations

ii. Describe how these requirements, policies and procedures apply to all other providers eligible to deliver CCDF services (e.g., license-exempt CCDF eligible providers), in accordance with 98.43(a)(1)(i) and 98.16(o). Describe and provide citations

☑ No. (Waiver request allowed. See Appendix A). Describe the status of conducting the interstate child abuse and neglect check for new (prospective) child care staff including:

-- Efforts to date to complete the requirement for all existing child care staff in licensed, regulated or registered programs

-- Efforts to date to complete the requirement for all existing child care staff in other programs eligible to receive CCDF (e.g. license-exempt CCDF eligible providers)

-- Key challenges to fully implementing this requirements

-- Strategies used to address these challenges

Describe:

During the 85th Texas Legislature, Regular Session (2017), Texas Human Resources Code §42.056 was amended to allow for background checks using any registry, repository, or databases required by federal law. This change to Texas statute allows for interstate criminal history checks to occur in the future. Also, HHSC has proposed changes to administrative rules regarding interstate background check requirements for existing and prospective providers; it is anticipated that these rules will be effective by
CCL hired an information technology (IT) contractor to make changes to the case management system for background checks. These technological changes will automate the process for instructing individuals when an interstate background check is required when an individual indicates that he or she has resided in during the past five years. The technological changes also will provide a field or fields in which the results of the checks can be documented manually once results are received. It is anticipated that these changes will be completed by January 2019.

After the new rules and changes are in place, HHSC must coordinate with existing providers and/or child care staff to be compliant with these new requirements. Reports will be compiled to identify providers and/or child care staff members who indicated that they resided out of state during the past five years. Once these reports are available, HHSC will communicate with existing providers and/or child care staff about the new requirement; the communication will detail what steps must be taken to comply with the requirement.

b) Has the interstate child abuse and neglect check been put in place for all current (existing) child care staff?

☐ Yes
  
  Describe, if applicable, any differences in the process for existing staff than what was described for new staff and provide citations.

☒ No. (Waiver request allowed. See Appendix A). Describe the status of conducting the interstate child abuse and neglect check for current (existing) child care staff including:
  
  -- Efforts to date to complete the requirement for all existing child care staff in licensed, regulated or registered programs
  
  -- Efforts to date to complete the requirement for all existing child care staff in other programs eligible to receive CCDF services (e.g. license-exempt CCDF eligible providers)
  
  -- Key challenges to fully implementing this requirements
  
  -- Strategies used to address these challenges
Describe:
During the 85th Texas Legislature, Regular Session (2017), Texas Human Resources Code §42.056 was amended to allow for background checks using any registry, repository, or databases required by federal law. This change to Texas statute allows for interstate criminal history checks to occur in the future. Also, HHSC has proposed changes to administrative rules regarding interstate background check requirements for existing and prospective providers; it is anticipated that these rules will be effective by January 2019.

CCL hired an information technology (IT) contractor to make changes to the case management system for background checks. These technological changes will automate the process for instructing individuals when an interstate background check is required when an individual indicates that he or she has resided in during the past five years. The technological changes also will provide a field or fields in which the results of the checks can be documented manually once results are received. It is anticipated that these changes will be completed by January 2019.

After the new rules and changes are in place, HHSC must coordinate with existing providers and/or child care staff to be compliant with these new requirements. Reports will be compiled to identify providers and/or child care staff members who indicated that they resided out of state during the past five years. Once these reports are available, HHSC will communicate with existing providers and/or child care staff about the new requirement; the communication will detail what steps must be taken to comply with the requirement.

Provisional Employment

The CCDF final rule states 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 staff members, prior to the date an individual becomes a child care staff member and at least once every 5 years thereafter (98.43(d)(1) and (2). A prospective child care staff member may not begin work until one of the following results have been returned as satisfactory: either the FBI fingerprint check or the search of the state/territory criminal registry or repository using fingerprints in the state/territory where the staff member resides. The child care staff member must be supervised at all times pending completion of all the background check components (98.43(d)(4)).
Note: In recognition of the concerns and feedback OCC received related to the provisional hire provision of the CCDF final rule, OCC will allow states and territories to request time-limited waiver extensions for the provisional hire provision. State/territories may submit a waiver request to allow additional time to meet the requirements related to provisional hires (see Appendix A). A state/territory may receive a waiver from this requirement only when:

1. the state requires the provider to submit the background check requests before the staff person begins working; and
2. the staff member, pending the results of the elements of the background check, is supervised at all times by an individual who has completed the background check.

5.4.9 Describe the state/territory requirements related to prospective child care staff members using the checkboxes below. (Waiver request allowed. See Appendix A). Check all that apply.

☐ The state/territory allows prospective staff members to begin work on a provisional basis (if supervised at all times) after completing and receiving satisfactory results on either the FBI fingerprint check or a fingerprint check of the state/territory criminal registry or repository in the state where the child care staff member resides. Describe and include a citation:

☐ The state/territory allows prospective staff members to begin work on a provisional basis (if supervised at all times) after the request has been submitted, but before receiving satisfactory results on either the FBI fingerprint check or a fingerprint check of the state/territory criminal registry or repository in the state where the child care staff member resides. Note: A waiver request is allowed for this provision (see Appendix A). Describe and include a citation:

☑ Other.

Describe:
For an individual to be allowed to work in the child care operation without supervision, all required checks must be completed and not have any disqualifying results.

Texas is not yet requiring the interstate criminal history or abuse and neglect registry checks, and an extension on these requirements is being requested. An individual must complete the Texas and FBI fingerprint checks as well as a Texas abuse and
neglect registry check before being allowed to work in child care, but there is no "provisional" basis for such employment; in this scenario the individual may work unsupervised. However, once the interstate checks are implemented into the screening process, prospective staff members would be allowed to work on a provisional basis (including being supervised at all times by a qualified staff member), pending the receipt of the out-of-state background checks.

5.4.10 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.

Describe the requirements, policies, and procedures in place to respond as expeditiously as possible to other states’, territories’, and tribes’ requests for background check results to accommodate the 45-day timeframe, including any agencies/entities responsible for responding to requests from other states (98.43(a)(1)(iii)).

DFPS Background Checks
DFPS is responsible for conducting the Texas abuse and neglect checks that other states request to meet this requirement. As required by Texas Family Code §261.002, DFPS maintains a central registry of the names of persons found by DFPS to have abused or neglected a child. The DFPS Central Registry includes information gathered during Child Protective Services (CPS), Child Care Licensing (CCL), and Adult Protective Services (APS) in-home and provider investigations of child abuse and neglect that resulted in a disposition of "reason to believe" for CPS and CCL cases or "confirmed and validated" for APS cases. (Findings of abuse, neglect, or exploitation of an adult victim are not included in the Central Registry.)

Per the form used to initiate a Central Registry Check (DFPS Form 2970), the subject of the background check must read and complete Sections 1-5, then notarize and email, fax, or mail the form to the DFPS Background Check Team. Typically, DFPS provides the background check results within 30-40 days of receipt. The form includes an email
contact for questions regarding background checks.

Details regarding the process, policies, and timeframes for this check are in resources listed at http://www.dfps.state.tx.us/Background_Checks/FAQ/faq_abuse_registry.asp.

DPS Background Checks
DPS is the state criminal history repository. For name-based criminal history searches of public criminal history data, states or background check subjects can utilize the public Criminal History Search database by setting up an account and paying a small fee (currently $3.32) for each name searched. Using the online search returns instant results. Further information about procedures for obtaining name-based criminal history searches from DPS can be found at https://records.txdps.state.tx.us/DpsWebsite/CriminalHistory/.

For fingerprint-based DPS checks, the timeframe for receiving the results depends on how quickly the person schedules his/her electronic fingerprinting appointment (which must occur at a Texas location) or how long it takes for a paper fingerprint card to be delivered to the fingerprint vendor. Per DPS, it takes approximately 10 business days for the results to be processed and posted through USPS. Further information about procedures for obtaining fingerprint-based criminal history searches from DPS can be found at http://www.dps.texas.gov/administration/crime_records/pages/applicantfingerprintservice.htm.

5.4.11 Child care staff members cannot be employed by a child care provider receiving CCDF subsidy funds if they refuse a background check, make materially false statements in connection with the background check, or are registered or required to be registered on the state or National Sex Offender Registry. Potential staff members also cannot be employed by a provider receiving CCDF funds if they have been convicted of: a felony consisting of murder, child abuse or neglect, crimes against children, spousal abuse, crimes involving rape or sexual assault, kidnapping, arson, physical assault or battery, or - subject to an individual review (at the state/territory’s option)- a drug-related offense committed during the preceding 5 years; a violent misdemeanor committed as an adult against a child, including the following crimes - child abuse, child
endangerment, or sexual assault; or a misdemeanor involving child pornography (98.43(c)(1)).

Note: The Lead Agency may not publicly release the results of individual background checks. It may release aggregated data by crime as long as the data do not include personally identifiable information (98.43(e)(2)(iii)).

Does the state/territory disqualify child care staff members based on their conviction for other crimes not specifically listed in 98.43(c)(i)?

- [ ] No
- [x] Yes.

Describe other disqualifying crimes and provide citation:

Texas completes an annual review of criminal history requirements for child care staff members, and the requirements are posted online in chart format. Crimes added to the charts go beyond the crimes specifically listed in §98.43(h) to include additional crimes under Texas law that deal with violent behavior, inappropriate sexual behavior, substance-related offenses, human trafficking offenses, and any other crimes that suggest a significant risk towards children. The criminal history requirements charts are referenced in 40 Texas Administrative Code §745.651, and are available for review by the public on the Child Care Licensing website at https://www.dfps.state.tx.us/Child_Care/Child_Care_Standards_and_Regulations/Criminal_Convictions.asp. Only the most significant offenses present permanent bars to a person's presence at a licensed child care operation, licensed child care home, or registered child care home, with most of the offenses requiring a risk evaluation to allow an opportunity for the child care staff member to have a review completed to prevent disqualification.

5.4.12 The state/territory has a process for a child care staff member to appeal the the results of his or her background check to challenge the accuracy or completeness of the criminal background report, as detailed in 98.43(e)(3).

Describe how the Lead Agency ensures the privacy of background checks and provides opportunities for applicants to appeal the results of background checks. In addition,
describe whether the state/territory has a review process for individuals disqualified due to a felony drug offense to determine if that individual is still eligible for employment (98.43(e)(2-4)).

A process to appeal the accuracy or completeness of the national and/or Texas criminal background check results currently exists, as individuals are asked to provide copies of court documents for any criminal history that does not have complete disposition information in the criminal history database report. Additionally, if the individual intends to challenge the accuracy of the results, the individual is advised to provide copies of history searches completed at the local court clerk and is also advised of the process to resolve criminal history errors through TDPS and the FBI. Individuals are also offered an opportunity to contest unsustained Texas abuse/neglect findings through the Texas State Office of Administrating Hearings when such a finding is found in the Texas Department of Family and Protective Services' abuse/neglect registry.

At this time, Texas provides the results of the background check to the child care provider with whom the individual is affiliated. Child care providers are required by minimum standards to keep the information confidential and only accessible to provider staff that have a business need to access the information. Providers are also advised that failing to maintain the information's confidentiality may result in criminal penalties. Texas abuse/neglect results are only provided to the child care provider if the results have been upheld by the Texas State Office of Administrative Hearing or if Child Care Licensing has determined the context of the results to present an immediate risk to children in care if the individual is allowed to be present. Texas administrative rules have been proposed, with an expected effective date of January 2019, which will require that Child Care Licensing only provide background check results directly to the individual to further ensure the confidentiality of the information.

Texas has a review process called a risk evaluation for individuals with disqualifying results that do not reflect a history of severe violent behavior, such as a drug offense within the last 10 years. As part of the risk evaluation, child care staff members are asked to provide a personal statement explaining the context of their disqualifying history, explaining what has changed since the history occurred to prevent similar offenses or abuse/neglect investigations from occurring again in the future. Additionally, child care staff members are asked to provide character references for the risk evaluation. Currently, this process is requested by the child care provider on behalf of the child care
staff member, but after changes to Texas administrative rules take effect in January 2019, the child care staff member will be responsible for requesting the risk evaluation as the child care provider will not be privy to the history eligible for a risk evaluation.

5.4.13 The state/territory may not charge fees that exceed the actual costs of processing applications and administering a criminal background check (98.43(f)).

Describe how the state/territory ensures that fees charged for completing the background checks do not exceed the actual cost of processing and administration, regardless of whether they are conducted by the state/territory or a third-party vendor or contractor. Lead Agencies can report that no fees are charged if applicable (98.43(f)). Child care providers and child care staff are required to pay a $2 fee to Texas Health and Human Services Commission (HHSC) per person when submitting a request for a background check. This fee is used to offset the cost of the name-based check requirements but does not fully cover the actual HHSC labor costs of processing and administration of the background check program. This fee goes to the Texas General Revenue Fund.

5.4.14 Federal requirements do not address background check requirements for relative providers who receive CCDF; therefore, states have the flexibility to decide which background check requirements relative providers must meet, as defined by CCDF in 98.2 under eligible child care provider.

Note: This exception only applies if the individual cares only for relative children. Does the state/territory exempt relatives from background checks?

☐ No, relatives are not exempt from background check requirements.
☐ Yes, relatives are exempt from all background check requirements.
☒ Yes, relatives are exempt from some background check requirements. If the state/territory exempts relatives from some background check requirements,
describe which background check requirements do not apply to relative providers. Listed child care homes that provide care only to children who are related to the owner are required to complete only a name-based Texas criminal history check and Texas abuse and neglect history check.

6 Recruit and Retain a Qualified and Effective Child Care Workforce

This section covers the state or territory framework for training, professional development, and post-secondary education (98.44(a)); provides a description of strategies used to strengthen the business practices of child care providers (98.16(z)); and addresses early learning and developmental guidelines.

States and territories are required to describe their framework for training, professional development, and post-secondary education for caregivers, teachers, and directors, including those working in school-age care (98.44(a)). This framework is part of a broader systematic approach building on health and safety training (as described in section 5) within a state/territory. States and territories must incorporate their knowledge and application of health and safety standards, early learning guidelines, responses to challenging behavior, and the engagement of families. States and territories are required to establish a progression of professional development opportunities to improve the knowledge and skills of CCDF providers (658E(c)(2)(G)). To the extent practicable, professional development should be appropriate to work with a population of children of different ages, English-language learners, children with disabilities, and Native Americans (98.44(b)(2)(iv)). Training and professional development is one of the options that states and territories have for investing their CCDF quality funds (658G(b)(1)).

6.1 Professional Development Framework

6.1.1 Each state or territory must describe their professional development framework for training, professional development, and post-secondary education for caregivers, teachers and directors, which is developed in consultation with the State Advisory Council on Early Childhood Education and Care or similar coordinating body. The framework should include these components: (1) professional standards and competencies, (2) career pathways, (3) advisory structures, (4) articulation, (5) workforce
information, and (6) financing (98.44(a)(3)). Flexibility is provided on the strategies, breadth, and depth with which states and territories will develop and implement their framework.

a) Describe how the state/territory's framework for training and professional development addresses the following required elements:

-- State/territory professional standards and competencies. Describe:

The Texas Core Competencies for Early Childhood Practitioners and Administrators define observable skills that, when achieved, demonstrate competency in the concepts, practices, and knowledge that early childhood practitioners and administrators must know and be effective in facilitating children's growth and development.

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

Levels 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 through 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

Levels 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
- 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.

Texas Core Competencies Training Modules for practitioners and administrators are available at [https://tecpds.org/cctm-training/](https://tecpds.org/cctm-training/). These online training modules were designed for use by early childhood professionals to improve the quality of care and education that young children receive. The content and structure of the competencies are a framework for assessing knowledge and skills, guiding training and professional development opportunities, and monitoring progress.

-- Career pathways. Describe:

The Early Childhood Career Lattice is a tool within TECPDS that 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.

-- Advisory structure. Describe:

The purpose of the Texas Early Childhood Professional Development System (TECPDS) Advisory Council is to support 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
- Early Childhood Career Lattice

-- Articulation. Describe:

In 2015, CLI launched a program dedicated to helping early childhood teachers in Texas obtain the training hours needed to apply for the Child Development Associate (CDA) CredentialTM for center-based programs. Known as CIRCLE CDA Training, this program
allows CLI to provide professional development opportunities to early childhood teachers. CIRCLE CDA Training is available to all CLI Engage users.

More information about the program is available at https://www.childrenslearninginstitute.org/programs/circle-cda-training-program/

Additionally, the Texas Early Learning Council (TELC) worked with MCCM Associates to develop the Higher Education Articulation Agreements Toolkit. The project met the following objectives:
- Collect and review data on articulation agreements
- Analyze data and develop recommendations on articulation agreements
- Create a higher education articulation agreement toolkit for communities
The tool kit is available at http://earlylearningtexas.org/articulation-toolkit.aspx

Finally, in addition to the statewide initiatives described above, Boards may provide CDA training as part of their local quality initiatives. Many Boards have formed partnerships with local community colleges to implement articulation agreements to move training participants from the CDA credential into associate's and bachelor's degree programs.

-- Workforce information. Describe:

TELC Workforce Survey:
TELC 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 collected compensation and retention data from home-based providers, center directors, and center workers. To portray 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 were collected on the following:
- compensation (for example, average income, vacation time, and benefits)
- retention (for example, 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 (that is, age, gender, race, early childhood education sector, Texas region, and education)
- career (for example, plans to receive more formal education and to stay in the field)

More information on the TELC Workforce Survey is available at http://earlylearningtexas.org/1475.aspx

**Texas Early Childhood Professional Development System (TECPDS):**

The TECPDS Workforce Registry is a web-based database in which early childhood professionals can store and access their education and employment history, as well as the professional development hours they have completed. Professionals with an account on the Texas Workforce Registry can also access the new Find My Career Lattice tool on TECPDS. As of December 2017, over 2700 practitioners had registered in the registry.

The TECPDS Trainer Registry is a statewide system that approves early childhood trainers and their trainings. Trainers listed on the Texas Trainer Registry have gone through an approval process defined by qualifications that include early childhood expertise and experience, as well as knowledge of adult learning theories and principles. The training approval process is linked to core competencies, principles of adult learning, and other standards, such as early learning guidelines. As of December 2017, 814 trainers had registered in the Texas Trainer Registry.

**-- Financing, Describe:**

In 2010, TELC received a $11.4 million, three-year federal grant through the American Recovery and Reinvestment Act that supported the development of the following key components of Texas' early childhood professional development system:
- Texas Early Childhood Professional Development System, including Core Competencies for practitioners
- Infant, Toddler, and Three-Year-Old Guidelines
- Early Childhood Workforce Compensation Study
- Higher Education Articulation Agreements Toolkit
- Professional Mentoring and Coaching Toolkit

On an ongoing basis, TWC and Boards use CCDF quality funds for this professional development system and to increase access to professional development opportunities through grants and direct services.
Additionally, TWC partners with TEA and other stakeholders to leverage statewide resources to further professional development system goals. Boards partner with local ISDs, regional education service centers, community colleges, and universities to jointly design professional development programs for practitioners.

b) The following are optional elements, or elements that should be implemented to the extent practicable, in the training and professional development framework.

- Continuing education unit trainings and credit-bearing professional development to the extent practicable

Describe:
Boards offer scholarships to providers and caregivers to assist them in receiving CDAs or completing early education courses. Boards also deliver CDA training modules directly to caregivers and directors.

TWC provided CCDF funds to the Texas Association for the Education of Young Children (TAEYC) for the T.E.A.C.H. (Teacher Education and Compensation Helps) scholarship program, which provides financial assistance for attainment of credentials and postsecondary degrees. TAEYC conducts various outreach activities to promote the program including presentations at regional and statewide early education conferences, presentations to Boards, conference calls with child care resource and referral agencies, and email announcements to child care providers.

Additionally, TWC approved funding through a competitive procurement process to support the expansion of CDA Credential™ training programs in the state. The goals of the funding are to:
- enhance professional development of child care provider staff and provide necessary training for child care teachers to achieve CDA;
- increase the number of TRS-certified providers by expanding professional development opportunities offered by entities that provide training that will lead to a CDA; and
- address barriers to participation in professional development activity by child care staff by offering courses through a combination of on-line courses and courses offered during non-traditional hours.
Engagement of training and professional development providers, including higher education, in aligning training and educational opportunities with the state/territory’s framework

Describe:
Boards work with local education and training providers to align professional development opportunities with Texas’ framework.

Additionally, the TECPDS Texas Trainer Registry requires that trainers demonstrate how their offerings map to the Core Competencies for practitioners.

Other Describe:

6.1.2 Describe how the state/territory developed its professional development framework in consultation with the State Advisory Council on Early Childhood Education and Care (if applicable) or similar coordinating body if there is no SAC that addresses the professional development, training, and education of child care providers and staff.

The Texas Core Competencies for Early Childhood Practitioners and Administrators were developed in 2011 and revised in 2013 through a collaboration between TELC and the THSSCO, both housed at CLI at the University of Texas Health Science Center.

TWC and CCL participated in the development of the Core Competencies through TELC.

The Core Competencies are available through the TECPDS web site at https://tecpds.org/CoreCompetencies.aspx.

6.1.3 Describe how the framework improves the quality, diversity, stability, and retention of caregivers, teachers, and directors (98.44(a)(7)).

Financial Assistance to Attain Credentials and Post-Secondary Degrees:
As described above, Boards provide scholarships to providers and caregivers to assist them
in earning CDAs or completing early education courses. Boards also deliver CDA training modules directly to caregivers and directors.

TWC provided CCDF to 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 including presentations at regional and statewide early education conferences, presentations to Boards, conference calls with child care resource and referral agencies, and email announcements to child care providers.

Additionally, in 2017, TWC approved funding for a statewide program to assist eligible caregivers in obtaining CDAs.

**Financial Incentives Linked to Educational Attainment and Retention:**
Boards provide bonuses and stipends to providers and caregivers who attain CDAs 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.

Additionally, Boards make providers aware of the subsidized child care program through communitywide professional development opportunities, trainings, and conferences on issues and topics relevant to all child care providers in the local workforce areas. CCL staff informs newly licensed facilities of TWC’s subsidized child care program and opportunities to provide services to subsidized children.

### 6.2 Training and Professional Development Requirements

The Lead Agency must describe how its established health and safety requirements for pre-service or orientation training and ongoing professional development requirements—as described in Section 5 for caregivers, teachers, and directors in CCDF programs—align, to
the extent practicable, with the state/territory professional development framework. These requirements must be 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 funds across the entire age span, from birth through age 12 (658E(c)(2)(G)). Ongoing training and professional development should be accessible and appropriate to the setting and age of the children served (98.44(b)(2)).

6.2.1 Describe how the state/territory incorporates the knowledge and application of its early learning and developmental guidelines (where applicable); its health and safety standards (as described in section 5); and social-emotional/behavioral and early childhood mental health intervention models, which can include positive behavior intervention and support models (as described in section 2) in the training and professional development framework (98.44(b)).

Health and Safety Core Competency Area 8: Health, Safety, and Nutrition
The health and safety 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. This area includes knowledge on a broad array of prevention, preparedness, and implementation of health and safety practices.

Social/Emotional Development Core Competency Area 2: Responsive Interactions and Guidance
The social/emotional competencies address core knowledge and skills necessary to promote positive interactions and use developmentally appropriate guidance techniques in accordance with children’s ages and developmental level.

Project LAUNCH (Linking Actions for Unmet Needs in Children’s Health)
TWC is a collaborating partner of DSHS’s Project LAUNCH. Project LAUNCH is a national initiative to promote the wellness of young children from birth to eight years of age by addressing the physical, social, emotional, cognitive, and behavioral aspects of their development. Core strategies of the program include the following:
- Increasing screening and assessment in a range of child-serving settings
- Providing family strengthening and parent skills training
- Implementing early childhood mental health consultation Building early childhood competency in the workforce
6.2.2 Describe how the state/territory's training and professional development are accessible to providers supported through Indian tribes or tribal organizations receiving CCDF funds (as applicable) (98.44(b)(2)(vi)).

The Early Learning Guidelines, Professional Development Core Competencies, and TECPDS Trainer Registry, as well as 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 GovDelivery email delivery system.

6.2.3 States/territories are required to facilitate participation of child care providers with limited English proficiency and disabilities in the subsidy system (98.16 (dd)). Describe how the state/territory will recruit and facilitate the participation of providers:

a) with limited English proficiency

Outreach (conferences, trainings, and professional development) is available as necessary to providers for whom English is not their first language. TWC requires Boards to provide translation and interpretation services to workforce customers. TWC and the Boards also provide informational materials to providers in Spanish and Vietnamese. Critical documents that are not available in Spanish include a Babel notice to inform customers how to access translation services.

b) who have disabilities

TWC's Technical Assistance (TA) Bulletin 287: Training, Assistive Technology, and Accessibility, provides Boards with guidance on serving individuals with disabilities. The guidance includes information about assistive technologies, people-first language, and technical assistance resources.
6.2.4 Describe how the state/territory's training and professional development requirements are appropriate, to the extent practicable, for child care providers who care 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 developmental delays and disabilities; and Native Americans, including Indians and Native Hawaiians (98.44(b)(2)(iii--iv)).

The infant/toddler and prekindergarten guidelines address special needs, English language learners, and cultural diversity.

The Core Competencies reference diversity, dual-language learners, and family and community relationships.

CCL minimum standards for caregivers provide the option of obtaining 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 and abusive head trauma
- Understanding and using safe sleep practices and preventing sudden infant death syndrome (SIDS)
- Understanding early childhood brain development

6.2.5 The Lead Agency must provide training and technical assistance to providers and appropriate Lead Agency (or designated entity) staff on identifying and serving children and families experiencing homelessness (658E(c)(3)(B)(i)).

a) Describe the state/territory's training and TA efforts for providers in identifying and serving homeless children and their families (relates to question 3.2.2).

As a collaborative effort to provide technical assistance to child care providers on identifying and serving homeless children and families, the TWC, working with federal, state, and local...
partners, encourages providers to visit the resources listed below on education and homelessness.

**National Center for Homeless Education**
Funded by the U.S. Department of Education (Department), the National Center for Homeless Education (NCHE) serves as the Department's technical assistance and information center for the federal Education for Homeless Children and Youth (EHCY) program.

In this role, NCHE provides research, resources, and information enabling communities to address the educational needs of children experiencing homelessness. The center also supports educators and service providers by means of training and awareness materials and by providing training at regional and national conferences and other events.

**Printed Materials:**


**Videos:**

*Determining Eligibility for McKinney-Vento Rights and Services:* In this webinar, NCHE staff members discuss the McKinney-Vento definition of "homeless," including such categories as doubled-up, awaiting foster care placement, unaccompanied homeless youth, and substandard housing. Presenters also recommend guiding principles to use when determining McKinney-Vento eligibility. Participants discuss scenarios to apply the knowledge presented during the webinar and may ask questions of presenters.

*Understanding "Doubled-Up":* Participants join presenters from NCHE in an exploration of the issue of doubling-up. "Doubled-up" is the informal term used to describe a concept
included in the McKinney-Vento Act's definition of "homeless." The term refers to shared living arrangements, some of which are considered to constitute homelessness, while others do not, depending on a range of factors. In this session, participants explore some of these factors in detail and ask questions about concepts covered throughout the session.

Additionally, the April 2017 edition of the Texas Child Care Quarterly, a journal geared specifically toward child care providers, includes the article, "Reach Out to Homeless Families." The article provides information about understanding who is considered homeless and tips for serving homeless families and children. The article is available at: [https://www.childcarequarterly.com/spring17_business.html](https://www.childcarequarterly.com/spring17_business.html)

Finally, TWC is developing guidance for release in 2018 that will assist Boards in identifying and serving families and individuals experiencing homelessness. Boards will use the information to inform assistance and training offered to providers.

b) Describe the state/territory's training and TA efforts for Lead Agency (or designated entity) staff in identifying and serving children and their families experiencing homelessness (connects to question 3.2.2).

As described above, TWC is developing guidance for release in 2018 that will assist Boards in identifying and serving families and individuals experiencing homelessness. Boards will use the information to inform assistance and training offered to providers.

Additionally, TWC's Workforce Program Policy and Technical Assistance departments provide ongoing policy clarifications and technical assistance on issues related to homelessness to both TWC staff and Board staff.

### 6.2.6 States and territories are required to describe effective internal controls that are in place to ensure program integrity and accountability (98.68(a)). Describe how the state/territory ensures that all providers for children receiving CCDF funds are informed and trained regarding CCDF requirements and integrity (98.68(a)(3)). Check all that apply

- [ ] Issue policy change notices
Issue new policy manual

Staff training

Orientations

Onsite training

Online training

Regular check-ins to monitor the implementation of CCDF policies

Describe the type of check-ins, including the frequency.

☑️ Other

Describe:

Boards are responsible for ensuring that providers are trained on CCDF requirements and program integrity. TWC's Subrecipient Monitoring (SRM) department performs the following functions to ensure program integrity and accountability in the program:

- providing an effective system of oversight and monitoring for Boards and other subrecipients
- ensuring accountability for federal and state funds
- performing a variety of other functions related to, and in support of, the monitoring function

SRM monitors Boards' child care programs on a regular basis to ensure compliance with applicable rules and regulations including TWC's Chapter 809 Child Care Services Rules. SRM's activities ensure that programs achieve intended results, that resources are efficiently and effectively used for authorized purposes, and that resources are protected from waste, fraud, and abuse.

Additionally, each Board is required to maintain their own monitoring function, and SRM certifies each Board every three years, ensuring another level of internal controls and accountability.

6.2.7 Lead Agencies must develop and implement strategies to strengthen the business practices of child care providers to expand the supply and to improve the quality of child care services (98.16 (z)). Describe the state/territory's strategies to strengthen provider's business practices, which can include training and/or TA efforts.
a) Describe the strategies that the state/territory is developing and implementing for training and TA.

HHSC’s CCL policy states, "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.

Additionally, TWC approved funding through a competitive procurement process for the delivery of intensive, in-depth courses related to child care administration and business practices to strengthen the business practices of child care providers. The courses will help expand the supply and improve the quality of child care services. The courses will focus on:

- the development of leadership skills at the provider and community-level;
- the importance of quality and the indicators of quality child care;
- the importance of a skilled, well-trained workforce and the development of staff professional development;
- creating a positive and productive workplace; and
- working with parents to engage families in the early learning and child development of children.

In addition to this course, TWC also approved use of additional funding for regional child care business forums.

b) Check the topics addressed in the state/territory's strategies. Check all that apply.

- [✓] Fiscal management
- [✓] Budgeting
- [ ] Recordkeeping
6.3 Early Learning and Developmental Guidelines

6.3.1 States and territories are required to 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, birth-to-five), describing what children should know and be able to do and covering the essential domains of early childhood development. These early learning and developmental guidelines are to be used statewide and territory-wide by child care providers and in the development and implementation of training and professional development (658E(c)(2)(T)). The required essential domains for these guidelines are cognition, including language arts and mathematics; social, emotional, and physical development; and approaches toward learning (98.15(a)(9)). At the option of the state/territory, early learning and developmental guidelines for out-of-school time may be developed. Note: States and territories may use the quality set-aside, discussed in section 7, to improve on the development or implementation of early learning and developmental guidelines.

a) Describe how the state/territory's early learning and developmental guidelines are research-based, developmentally appropriate, culturally and linguistically appropriate, and aligned with kindergarten entry

In collaboration with TELC, stakeholders from the state developed the Texas Infant, Toddler, and Three-Year-Old Early Learning Guidelines (Little Texans, Big Futures),
which outline expectations about what children should know and be able to do across
domains of learning during specific age ranges. The guidelines also outline steps for
caregivers to support healthy development. Training that correlates to the guidelines is
available.

Additionally, TEA established a 13-member review committee consisting of classroom
teachers and administrators from early childhood programs in public schools, higher
education faculty, and early learning experts from across the state to participate in the
revision of the Texas Prekindergarten Guidelines. The revised pre-K guidelines are
aligned with the Kindergarten Texas Essential Knowledge and Skills (TEKS), sequenced
to follow child development and give teaching strategies for each of the guidelines. The
pre-K guidelines offer educators the information and support to prepare all children for
success in Kindergarten.

b) Describe how the state/territory's early learning and developmental guidelines are
appropriate for all children from birth to kindergarten entry.
As described above, the revised pre-K guidelines are aligned with the TEKS, sequenced
to follow child development and give teaching strategies for each of the guidelines. The
new guidelines offer educators the information and support to prepare all children for
success in Kindergarten.

c) Verify by checking the domains included in the state/territory's early learning and
devolutional guidelines. Responses for "other" is optional

- Cognition, including language arts and mathematics
- Social development
- Emotional development
- Physical development
- Approaches toward learning
- Other

Describe:

d) Describe how the state/territory's early learning and developmental guidelines are
implemented in consultation with the educational agency and the State Advisory Council
or similar coordinating body.
The state's lead education agency, TEA, is the lead agency responsible for Texas' Prekindergarten Guidelines. TEA worked with TWC and a variety of advisory groups and agencies to develop and maintain the guidelines.

e) Describe how the state/territory's early learning and developmental guidelines are updated and include the date first issued and/or the frequency of updates

Little Texans-Big Futures guidelines were published in 2013 and have not yet undergone any revision. CLI reviews the infant/toddler guidelines on an on-going basis through research and projects that support quality infant/toddler care. CLI proposes updates to TWC when appropriate and TWC initiates the revision process. Additionally, the state interagency team for early education and child care has opportunity to make recommendations to TWC regarding revisions.

The pre-K guidelines were first released in 2008, and a major revision was published in 2015. TEA monitors the relevance of these guidelines and works with stakeholders to make revisions as appropriate.

f) If applicable, discuss the state process for the adoption, implementation and continued improvement of state out-of-school time standards

The Texas Partnership for Out of School Time (TXPOST) maintains the Texas Standards of High Quality Afterschool, Summer and Expanded Learning Programs. TWC serves on the TXPOST Board.

g) Provide the Web link to the state/territory's early learning and developmental guidelines.

Little Texans-Big Futures: http://www.littletexans.org/

6.3.2 CCDF funds cannot be used to develop or implement an assessment for children that:

-- Will be the primary or sole basis to determine a child care provider ineligible to participate in the CCDF,
-- Will be used as the primary or sole basis to provide a reward or sanction for an individual provider,

-- Will be used as the primary or sole method for assessing program effectiveness,

-- Will be used to deny children eligibility to participate in the CCDF (658E(c)(2)(T)(ii)(I); 98.15(a)(2)).

Describe how the state/territory’s early learning and developmental guidelines are used.

The Core Competencies for early childhood practitioners were designed in alignment with the state early learning guidelines (Little Texans—Big Futures and Texas Prekindergarten Guidelines) to ensure a strong connection between goals for practitioners and what children need to know, understand, and be able to do.

CLI hosts online trainings that support developing and implementing curriculum/learning activities based on the early learning guidelines and the related core competencies for practitioners.

Providers are made aware of the online training through outreach activities conducted by CLI, including conferences such as the annual Texas Early Childhood Learning Summit and the Texas School-Ready! Summer Institute. Boards also promote the online training through technical assistance and mentoring services to providers, including providers working to become TRS-certified.

Additionally, TRS curriculum guidelines and caregiver interaction measures are linked to the early learning guidelines. Board mentors provide technical assistance and guidance to providers on the TRS measures as related to the early learning guidelines (https://texasrisingstar.org/twc-staff).

TWC has also approved funding through a competitive procurement process to provide training to early childhood caregivers on assessment tools on the development and learning of children from birth to five years of age, data gathering, and reporting. The goal is to assist caregivers to use data to develop instruction based on a child's individual needs.
7 Support Continuous Quality Improvement

Lead Agencies are required to reserve and use a portion of their Child Care and Development Fund program expenditures for activities designed to improve the quality of child care services and to increase parental options for and access to high-quality child care (98.53). The quality activities should be aligned with a statewide or territory-wide assessment of the state’s or territory’s need to carry out such services and care. States and territories are required to report on these quality improvement investments through CCDF in three ways:

1. In the Plan, states and territories will describe the types of activities supported by quality investments over the 3-year period (658G(b); 98.16(j)).

2. ACF will collect annual data on how much CCDF funding is spent on quality activities using the expenditure report (ACF-696). This report will be used to determine compliance with the required quality and infant and toddler spending requirements (658G(d)(1); 98.53(f)).

3. For each year of the Plan period, states and territories will submit a separate annual Quality Progress Report that will include a description of activities to be funded by quality expenditures and the measures used by the state/territory to evaluate its progress in improving the quality of child care programs and services within the state/territory (658G(d); 98.53(f)).

States and territories must fund efforts in at least one of the following 10 activities:

-- Supporting the training and professional development of the child care workforce

-- Improving on the development or implementation of early learning and developmental guidelines

-- Developing, implementing, or enhancing a tiered quality rating and improvement system for child care providers and services

-- Improving the supply and quality of child care programs and services for infants and toddlers

-- Establishing or expanding a statewide system of child care resource and referral services

-- Supporting compliance with state/territory requirements for licensing, inspection, monitoring, training, and health and safety (as described in section 5)
-- Evaluating the quality of child care programs in the state/territory, including evaluating how programs positively impact children

-- Supporting providers in the voluntary pursuit of accreditation

-- Supporting the development or adoption of high-quality program standards related to health, mental health, nutrition, physical activity, and physical development

-- Performing 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, quality set-aside funds and will describe the measurable indicators of progress used to evaluate state/territory progress in improving the quality of child care services for each expenditure (98.53(f)) These activities can benefit infants and toddlers through school age populations.

This section covers the quality activities needs assessment and quality improvement activities and indicators of progress for each of the activities undertaken in the state or territory.

7.1 Quality Activities Needs Assessment for Child Care Services

7.1.1 Lead Agencies must invest in quality activities based on an assessment of the state/territory’s needs to carry out those activities. Lead Agencies have the flexibility to design an assessment of their quality activities that best meet their needs, including how often they do the assessment. Describe your state/territory assessment process, including the frequency of assessment (658G(a)(1); 98.53(a)).

As referenced above, TWC completes a review of the TRS program every four years. As required by state law, TWC is in the process of completing a four-year review of the TRS program. TWC has the following goals for the improvement of child care quality:

- Improve the quality of child care services to children by assisting child care providers in achieving higher quality standards, including 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 professional development opportunities for child care and prekindergarten teachers who work in early childhood education

Texas
TWC selected these goals based on direction provided by the Texas legislature. The 83rd Texas Legislature, Regular Session (2013), enacted House Bill 376, which included provisions to:
- strengthen the TRS program standards;
- provide funding for technical assistance mentoring to child care providers who are working to achieve TRS standards or move toward higher TRS certification levels; and
- establish financial incentives for providers to meet the TRS program standards.

Each month, 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.

7.1.2 Describe the findings of the assessment and if any overarching goals for quality improvement were identified.

As discussed above, TWC is in the process of conducting a four-year review of the TRS program. Once the review is complete, TWC will amend the plan with findings and goals identified.

TWC will provide for quality improvement activities in accordance with CCDF regulations, which give states broad flexibility to design and deliver quality improvement activities that best meet identified needs.

7.2 Use of Quality Funds

7.2.1 Check the quality improvement activities in which the state/territory is investing

- Supporting the training and professional development of the child care workforce If checked, respond to section 7.3 and indicate which funds will be used for this activity. Check all that apply.
☑ Developing, maintaining, or implementing early learning and developmental guidelines. If checked, respond to section 6.3 and indicate which funds will be used for this activity. Check all that apply.

☐ CCDF funds
☐ Other funds

Describe:

☑ Developing, implementing, or enhancing a tiered quality rating and improvement system. If checked, respond to 7.4 and indicate which funds will be used for this activity. Check all that apply.

☐ CCDF funds
☐ Other funds

Describe:

☑ Improving the supply and quality of child care services for infants and toddlers. If checked, respond to 7.5 and indicate which funds will be used for this activity. Check all that apply.

☐ CCDF funds
☐ Other funds

Describe:

☐ Establishing or expanding a statewide system of CCR&R services, as discussed in 1.7. If checked, respond to 7.6 and indicate which funds will be used for this activity. Check all that apply.

☐ CCDF funds
☐ Other funds

Describe:

☑ Facilitating compliance with state/territory requirements for inspection, monitoring, training, and health and safety standards (as described in section 5). If checked, respond to 7.7 and indicate which funds will be used for this activity. Check all that apply.
- [ ] CCDF funds
- [ ] Other funds
Describe:

- [x] Evaluating and assessing the quality and effectiveness of child care services within the state/territory. If checked, respond to 7.8 and indicate which funds will be used for this activity. Check all that apply.
  - [x] CCDF funds
  - [ ] Other funds
  Describe:

- [ ] Supporting accreditation. If checked, respond to 7.9 and indicate which funds will be used for this activity. Check all that apply.
  - [ ] CCDF funds
  - [ ] Other funds
  Describe:

- [x] 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 7.10 and indicate which funds will be used for this activity. Check all that apply.
  - [x] CCDF funds
  - [ ] Other funds
  Describe:

- [x] Other activities determined by the state/territory to improve the quality of child care services and which measurement of outcomes related to improved provider preparedness, child safety, child well-being, or kindergarten entry is possible. If checked, respond to 7.11 and indicate which funds will be used for this activity. Check all that apply.
  - [x] CCDF funds
  - [ ] Other funds
  Describe:
7.3 Supporting Training and Professional Development of the Child Care Workforce With CCDF Quality Funds

Lead Agencies can invest in the training, professional development, and post-secondary education of the child care workforce as part of a progression of professional development activities, such as those included at 98.44 in addition to the following (98.53(a)(1)).

7.3.1 Describe how the state/territory funds the training and professional development of the child care workforce

a) Check and describe which content is included in training and professional development activities and describe who or how an entity is funded to address this topic. Check all that apply.

☑ Promoting the social, emotional, physical, and cognitive development of children, including those efforts related to nutrition and physical activity, using scientifically based, developmentally appropriate, and age-appropriate strategies

Describe:
Texas A&M AgriLife Extension Service offers free online training courses to early childhood caregivers. The two-hour courses were developed with CCDF funds in conjunction with HHSC’s Child Care Licensing division. The courses cover a variety of child care topics, including promoting children's development across multiple domains. The training is available at Child Growth and Development Training.

Additionally, CLI's Engage, a comprehensive professional development and child progress monitoring platform, provides professional development content, child progress monitoring tools, and classroom observation tools. A partnership among TWC, CLI and the Texas Education Agency (TEA) allows these online tools and resources to be available at no cost to all early childhood teachers at Texas public schools, TRS providers, and Head Start programs.

☑ Implementing behavior management strategies, including positive behavior interventions and support models that promote positive social-emotional development and early childhood mental health and that reduce challenging
behaviors, including a reduction in expulsions of preschool-age children from birth to age five for such behaviors. (See also section 2.5.)

Describe:
Training on this topic is available online through Texas A&M AgriLife Extension Service on the Guidance and Discipline training page.

☐ 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:
Boards evaluate the needs of families in their communities and engage with families accordingly. Examples of such engagement includes hosting "parent cafes" and providing training tailored to parents in the community who are receiving child care services. These activities may be funded with CCDF quality funds or through local partnerships.

☐ Implementing developmentally appropriate, culturally and linguistically responsive instruction, and evidence-based curricula and designing learning environments that are aligned with state/territory early learning and developmental standards.

Describe:
As described above, the CLI Engage platform provides resources for professional development, child progress monitoring, and classroom observation. These resources help providers to implement developmentally appropriate, evidence-based curricula and to design learning environments that align with early learning guidelines.

☐ Providing onsite or accessible comprehensive services for children and developing 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:
Training is available online through Texas A&M AgriLife Extension Service on the Including Children with Special Needs training page.

Supporting the positive development of school-age children

Describe:

Other

Describe:
Additional training topics are available online through Texas A&M AgriLife Extension Service. The topics include health and safety, developmentally appropriate activities, observation and assessment, professional leadership, and supporting the development of infant and toddlers. Information is available at http://extensiononline.tamu.edu/courses/child_care.php

b) Check how the state/territory connects child care providers with available federal and state/territory financial aid or other resources to pursue post-secondary 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 post-secondary training, including financial aid and academic counseling
- Statewide or territory-wide, coordinated, and easily accessible clearinghouse (i.e., an online calendar, a listing of opportunities) of relevant post-secondary education opportunities
- Financial awards, such as scholarships, grants, loans, or reimbursement for expenses, from the state/territory to complete post-secondary education
- Other

Describe:
TWC provides funds to support the Texas Association for the Education of Young Children's (TAEYC) TEACH program, which offers financial assistance to help child
care providers and caregivers earn a CDA Credential™ or to enroll in college credit courses in early childhood development.

Boards administer additional financial support to qualifying early education caregivers and/or providers using CCDF quality funds. The financial support includes scholarships, reimbursements, wage supplements, bonuses, grants, and stipends. Support can be offered one time or periodically, at the Board's discretion and based on local needs.

Additionally, TWC approved funding through a competitive procurement process to support the expansion of CDA Credential™ training programs in the state. The goals of the funding are to:
- enhance professional development of child care provider staff and provide necessary training for child care teachers to achieve CDA;
- increase the number of TRS-certified providers by expanding professional development opportunities offered by entities that provide training that will lead to a CDA; and
- address barriers to participation in professional development activity by child care staff by offering courses through a combination of on-line courses and courses offered during non-traditional hours.

7.3.2 Describe the measureable indicators of progress relevant to this use of funds that the state/territory will use to evaluate its progress in improving the quality of child care programs and services within the state/territory and the data on the extent to which the state or territory has met these measures

Each quarter, TWC monitors Boards' CCDF quality expenditures and the progress made toward improving the quality of child care programs, including monitoring the following measures:

**Measure**: Subsidized providers participating in TRS
FY 2015: 1,001
FY 2016: 1,113
FY 2017: 1,317

**Measure**: Subsidized children who receive care at TRS-certified providers
FY 2015: 24,439*
FY 2016: 22,071
FY 2017: 30,074
* TWC and DFPS funded; methodology changed in May 2016

**Measure:** Total child care capacity among TRS-certified providers
FY 2015: 116,191
FY 2016: 107,018
FY 2017: 120,632

**Measure:** Number of providers receiving financial support and/pr targeted technical assistance for TRS certification
FY 2015: 1,908
FY 2016: 3,782
FY 2017: 3,818

**Measure:** Number of providers receiving mentoring services that ultimately obtain, retain, or attain higher TRS star levels
FY 2015: 776
FY 2016: 1,354
FY 2017: 1,245

**Measure:** Number of providers receiving technical assistance on early learning and pre-K guidelines
FY 2015: 1,819
FY 2016: 3,137**
FY 2017: 1,643
**Revision of TRS Guidelines led to temporary increase in early learning guidelines training in 2016.

Additionally, TWC monitors progress of the TEACH program. Since the inception of the program, TEACH has increased the educational level of 229 caregivers at 103 eligible providers across the state, directly impacting over 3,000 children. TEACH has also achieved the following measures of progress:

- Of the 66 participants that have met a 6-month commitment period 92 percent have remained employed with eligible providers. This retention rate is significantly higher than the estimated 30 to 40 percent turnover providers commonly experience.
- Caregivers earn an average increase in wages of $1.00 per hour due to additional educational attained in the form of credentials and college course work.

In addition to the measures described above, TWC monitors financial aid provided to providers:

Number of caregivers receiving financial support:
Scholarships
FY 2015: 2,449
FY 2016: 2,230
FY 2017: 1,848

Reimbursement for training expenses
FY 2015: 340
FY 2016: 286
FY 2017: 884

Wage supplements/bonuses
FY 2015: 597
FY 2016: 318
FY 2017: 374

Other
FY 2015: 317
FY 2016: 323
FY 2017: 155

TOTAL
FY 2015: 3,703
FY 2016: 3,157
FY 2017: 3,261

Number of provider facilities receiving financial support
One-time grants, awards, bonuses
FY 2015: 146
FY 2016: 847
FY 2017: 909

Ongoing or periodic quality stipends
FY 2015: 230
FY 2016: 85
FY 2017: 249

TOTAL
FY 2015: 376
FY 2016: 932
FY 2017: 1,158

Each Board determines the mix of provider financial aid and other quality activities that will best meet the needs of the local area each year. The provision of financial aid to providers, caregivers and provider facilities in FY 2017 over that of FY 2015, represents an 8 percent increase in overall support. While scholarships, wage supplements, bonuses and other
support saw a decrease over the same period, reimbursement for training expenses increased by 62 percent, and support for provider facilities saw a threefold increase from 376 instances to 1,158 in FY 2017.

7.4 Quality Rating and Improvement System (QRIS)

Lead Agencies may respond in this section based on other systems of quality improvement, even if not called a QRIS, as long as the other quality improvement system contains the elements of a QRIS. QRIS refers to a systematic framework for evaluating, improving and communicating the level of quality in early childhood programs and contains five key elements:
1. Program standards
2. Supports to programs to improve quality
3. Financial incentives and supports
4. Quality assurance and monitoring
5. Outreach and consumer education

7.4.1 Does your state/territory have a quality rating and improvement system or other system of quality improvement?

☐ No, but the state/territory is in the QRIS development phase. If no, skip to 7.5.1.
☐ No, the state/territory has no plans for QRIS development. If no, skip to 7.5.1.
☐ Yes, the state/territory has a QRIS operating statewide or territory-wide
   Describe how the QRIS is administered (e.g., statewide or locally or through CCR&R entities) and any partners and provide a link, if available.
   The TRS program is Texas' QRIS. TRS is a voluntary, quality-based child care rating system of child care providers participating TWC’s subsidized child care program. TRS certification is available to licensed centers 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 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, that is, 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 is available at www.texasrisingstar.org. Other partners include:
- Children's Learning Institute (CLI)
- Texas Education Agency (TEA)
- Child Care Licensing (CCL)
- Child care quality contractors

Additional information is available on the Quality Compendium website at https://qualitycompendium.org/view-state-profiles.

☐ Yes, the state/territory has a QRIS initiative operating as a pilot-test in a few localities or only a few levels but does not have a fully operating initiative on a statewide or territory-wide basis.

Provide a link, if available.

☑ Yes, the state/territory has another system of quality improvement

If the response is yes to any of the above, describe the measureable indicators of progress relevant to this use of funds that the state/territory will use to evaluate its progress in improving the quality of child care programs and services within the state/territory and the data on the extent to which the state or territory has met these measures.
TWC monitors the number of TRS providers by Board area on a monthly basis. In addition, TWC monitors the number of subsidized children in care with TRS-rated providers. For Board Calendar Year 2019 performance targets, TWC has projected the following for the number of children in high quality care for the plan period:

FY 2018:
# CCDF children in TRS: 29,000
Total # CCDF children: 108,500
% CCDF children in TRS: 27.4%

FY 2019:
# CCDF children in TRS: 39,000
Total # CCDF children: 132,300
% CCDF children in TRS: 29.5%

FY 2020:
# CCDF children in TRS: 42,300
Total # CCDF children: 132,300
% CCDF children in TRS: 32%

FY 2021:
# CCDF children in TRS: 45,800
Total # CCDF children: 130,800
% CCDF children in TRS: 35%

### 7.4.2 QRIS participation

a) Are providers required to participate in the QRIS?

☑️ Participation is voluntary

☐ Participation is mandatory for providers serving children receiving a subsidy. If checked, describe the relationship between QRIS participation and subsidy (e.g., minimum rating required, reimbursed at higher rates for achieving higher ratings, participation at any level).

☐ Participation is required for all providers.

b) Which types of settings or distinctive approaches to early childhood education and care participate in the state/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 prekindergarten or preschool programs
Local district-supported prekindergarten programs
Programs serving infants and toddlers
Programs serving school-age children
Faith-based settings
Tribally operated programs
Other
Describe:
Department of Defense (DoD)-operated child care facilities

7.4.3 Support and assess the quality of child care providers.

The Lead Agency may invest in the development, implementation, or enhancement of a tiered quality rating and improvement system for child care providers and services. Note: If a Lead Agency decides to invest CCDF quality dollars in a QRIS, that agency can use the funding to assist in meeting consumer education requirements (98.33). If the Lead Agency has a QRIS, respond to questions 7.4.3 through 7.4.6.

Do the state/territory's quality improvement standards align with or have reciprocity with any of the following standards?

☐ No
☐ Yes. If yes, check the type of alignment, if any, between the state/territory's quality standards and other standards. Check all that apply.
☐ Programs that meet state/territory preK standards are able to meet all or part of the quality improvement standards (e.g., content of the standards is the same, there is a reciprocal agreement between preK programs and the quality improvement system).
☐ Programs that meet federal Head Start Program Performance Standards are able to meet all or part of the quality improvement standards (e.g., content of the standards is the same, there is a reciprocal agreement between Head Start

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programs and the quality improvement system).

✓ Programs that meet national accreditation standards are able to meet all or part of the quality improvement standards (e.g., content of the standards is the same, an alternative pathway exists to meeting the standards).

☐ Programs that meet all or part of state/territory school-age quality standards.

✓ Other.

Describe:
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

7.4.4 Do the state/territory’s quality standards build on its licensing requirements and other regulatory requirements?

☐ No

✓ Yes. If yes, check any links between the state/territory’s quality standards and licensing requirements

✓ Requires that a provider meet basic licensing requirements to qualify for the base level of the QRIS.

✓ Embeds licensing into the QRIS

☐ State/territory license is a "rated" license

✓ Other.

Describe:
TRS certification is built upon minimum licensing standards. To be eligible for TRS certification, a provider must not be on corrective or adverse action with CCL. Additionally, 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 deficiencies
- 10 or more total licensing deficiencies of any type
Additionally, TRS-certified providers that have been cited by HHSC for any of the above deficiencies may lose a star level or may lose TRS certification.

7.4.5 Does the state/territory provide 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 that are provided through the QRIS

☐ No
☑ Yes. If yes, check all that apply
  ☑ One time grants, awards, or bonuses.
  ☑ Ongoing or periodic quality stipends
  ☑ Higher subsidy payments
  ☑ Training or technical assistance related to QRIS.
  ☑ Coaching/mentoring.
  ☑ Scholarships, bonuses, or increased compensation for degrees/certificates
  ☑ Materials and supplies
  ☑ Priority access for other grants or programs
  ☐ Tax credits (providers or parents)
  ☑ Payment of fees (e.g., licensing, accreditation)
  ☑ Other
Describe:
Additionally, Boards may provide locally designed financial incentives and support to expand the diversity and improve the quality of child care services that are available.

7.4.6 Describe the measureable indicators of progress relevant to this use of funds that the state/territory will use to evaluate its progress in improving the quality of child care programs and services within the state/territory and the data on the extent to which the state or territory has met these measures

As described in Section 7.3.2, TWC monitors the following measures:
- Subsidized providers participating in TRS
- Subsidized children who receive care at TRS-certified provider
- Total child care capacity among TRS-certified providers
- Number of providers receiving financial support and/or targeted technical assistance for TRS certification
- Number of providers receiving mentoring services that ultimately obtain, retain, or attain higher TRS star levels
- Number of providers receiving technical assistance on early learning and pre-K guidelines

Data for these measures as of December 2017 follows:

**Measure**: Number of providers working toward initial TRS certification

FY 2015: 530  
FY 2016: 779  
FY 2017: 835

**Measure**: Number of providers working toward a higher TRS certification level

FY 2015: 246  
FY 2016: 575  
FY 2017: 410

**Measure**: Number of providers receiving mentoring services

FY 2015: 1,532  
FY 2016: 2,850  
FY 2017: 2,660

**Measure**: Number of providers receiving training on Infant/Toddler guidelines: LCCC

FY 2015: 935  
FY 2016: 1,388*  
FY 2017: 638

**Measure**: Number of providers receiving training on Infant/Toddler guidelines: LCCH and RCCH

FY 2015: 123  
FY 2016: 515*  
FY 2017: 130

**Measure**: Number of providers receiving training on pre-K/early learning guidelines: LCCC

FY 2015: 627
FY 2016: 1,005*
FY 2017: 795

**Measure:** Number of providers receiving training on pre-K/early learning guidelines: LCCH and RCCH

FY 2015: 134
FY 2016: 229*
FY 2017: 80

*Revision of the TRS Guidelines led to a temporary increase in early learning guidelines training in 2016.

7.5 Improving the Supply and Quality of Child Care Programs and Services for Infants and Toddlers

Lead Agencies are encouraged to use the needs assessment to systematically review and improve the overall quality of care that infants and toddlers receive, the systems in place or needed to support and enhance the quality of infant and toddler providers, 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, including any partnerships or coordination with Early Head Start and IDEA Part C programs. Lead Agencies are required to spend 3 percent of their total CCDF expenditures on activities to improve the supply and quality of their infant and toddler care. This is in addition to the general quality set-aside requirement.

7.5.1 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. These centers can serve as resources to child care providers to improve the quality of early childhood services for infants and toddlers from low-income families and to improve eligible child care providers’ 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 enhance child care providers' ability to provide developmentally appropriate services for infants and toddlers

Describe:

TWC provided funding for Texas A&M AgriLife's infant and toddler online courses. Training topics include child development, developmentally appropriate learning environments, and social-emotional development.

Additionally, the Texas Early Learning Council created training modules on the Infant/Toddler Early Learning Guidelines (Little Texans-Big Future), which are designed to be delivered in person. The five modules include an overview of the guidelines and an introduction to each of the four domains.

☐ Providing coaching, mentoring, and/or technical assistance on this age group's unique needs from statewide or territory-wide 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/territory’s QRIS, including classroom inventories and assessments

Describe:

TRS measures include specific infant and toddler requirements in the following categories:

- Lesson plans and curriculum-Measures address physical activity and motor development, social-emotional development, language and communication
development, and cognitive development
- Nutrition-Measures address breastfeeding education and feeding practices
- Indoor learning environment-Measures address quantity of sleep, diapering and feeding environment and materials, sufficient space to allow for different experiences (for example, tummy play and active play), and whether diapering areas include items that enhance cognitive and communication skills
- Outdoor learning environment-Measures address outdoor equipment and materials that encourage infants to experience the environment through all five senses

☐ Developing infant and toddler components within the state/territory’s child care licensing regulations
Describe:

☑ Developing infant and toddler components within the early learning and developmental guidelines
Describe:
Texas’ early learning guidelines include specific infant and toddler guidelines: Little Texans, Big Futures.

☑ Improving the ability of parents to access transparent and easy-to-understand consumer information about high-quality infant and toddler care that includes information on infant and toddler language, social-emotional, and both early literacy and numeracy cognitive development
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 within the state/territory and for which there is evidence that the activities will lead to improved infant and toddler health and safety, cognitive and physical development, and/or well-being
Describe:

☐ Coordinating with child care health consultants.
Describe:
7.5.2 Describe the measurable indicators of progress relevant to this use of funds that the state/territory will use to evaluate its progress in improving the quality of child care programs and services for infants and toddlers within the state/territory and the data on the extent to which the state or territory has met these measures.

The infant and toddler guidelines (Little Texans–Big Futures), as well as information about quality infant-toddler care, are available at [www.texaschildcaresolutions.org](http://www.texaschildcaresolutions.org).  

Measure: Number of providers receiving training on infant/toddler guidelines: LCCC  
FY 2015: 935  
FY 2016: 1,388*  
FY 2017: 638  

Measure: Number of providers receiving training on infant/toddler guidelines: LCCH and RCCH  
FY 2015: 123  
FY 2016: 515*  
FY 2017: 130  

*The revision of the TRS Guidelines led to temporary increases in early learning guidelines training in 2016.

7.6 Child Care Resource and Referral

A Lead Agency may expend funds to establish or expand a statewide system of child care resource and referral services (98.53(a)(5)). It can be coordinated, to the extent determined appropriate by the Lead Agency, by a statewide public or private non-profit, community-based, or regionally based lead child care resource and referral organization (658E(c)(3)(B)(iii)). This effort may include activities done by local or regional child care and
7.6.1 Describe the measureable indicators of progress relevant to this use of funds that the state/territory will use to evaluate its progress in improving the quality of child care programs and services within the state/territory and the data on the extent to which the state or territory has met these measures

TWC does not provide funding directly to any of the Child Care Resource & Referral (CCR&R) programs, therefore TWC does not have measures for this activity.

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.

The Texas Association of 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)

7.7 Facilitating Compliance With State Standards

7.7.1 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 funds are appropriated to HHSC for licensing and monitoring of child care facilities, as well as for health and safety training for child care facilities. Additionally, TWC has initiated the Strengthening TRS project (described in Section 7.7.3) that will leverage TWC and CCL
data to increase the quality of care in Texas.

7.7.2 Does the state/territory provide financial assistance to support child care providers in complying with minimum health and safety requirements?

- [ ] No
- [ ] Yes. If yes, which types of providers can access this financial assistance?
  - [ ] Licensed CCDF providers
  - [ ] Licensed non-CCDF providers
  - [ ] License-exempt CCDF providers
  - [ ] Other

Describe:

7.7.3 Describe the measureable indicators of progress relevant to this use of funds that the state/territory will use to evaluate its progress in improving the quality of child care programs and services within the state/territory and the data on the extent to which the state or territory has met these measures

HHSC CCL uses the following measures to evaluate progress in facilitating child care provider compliance with state standards:

Measure: Number of application, monitoring, follow-up, and investigation inspections
FY 2015: 40,625
FY 2016: 38,924
FY 2017: 38,814

Measure: Number of voluntary plans of action put into effect
FY 2015: 308
FY 2016: 232
FY 2017: 192

Measure: Number of corrective actions put into effect
FY 2015: 155
FY 2016: 112
FY 2017: 87
Measure: Number of illegal operations identified
FY 2015: 3,540
FY 2016: 3,120
FY 2017: 3,023

Measure: Number of illegal operations investigations resolved
FY 2015: 3,395
FY 2016: 3,068
FY 2017: 2,481

Measure: Number of instances of technical assistance offered by minimum standard
FY 2015: 31,464
FY 2016: 28,239
FY 2017: 27,470

Additionally, in FY 2018 TWC launched the Strengthening TRS Implementation project. This project will include the following activities:
- Analyzing the most frequent minimum standards deficiencies for TRS providers and targeting training and technical assistance to improve quality and adherence to standards at those providers
- Analyzing non-TRS providers whose inspection records indicate potential eligibility for TRS and targeting outreach and recruitment of those providers into the TRS program

7.8 Evaluating and Assessing the Quality and Effectiveness of Child Care Programs and Services

7.8.1 Describe how the state/territory measures the quality and effectiveness of child care programs and services in both child care centers and family child care homes currently being offered, including any tools used to measure child, family, teacher, classroom, or provider improvements, and how the state/territory evaluates how those tools positively impact children

Measures of Quality:
TWC’s Child Care Services rules require that the TRS guidelines be reviewed and updated every four years at a minimum. As part of this review, TWC analyzes data from TRS facility and classroom assessments and monitoring. TWC uses this analysis to evaluate the TRS measures and to assess:
- TRS assessor inter-rater reliability;
- measures with high or low compliance rate; and
- other data points, when feasible, that may indicate a correlation between TRS measures and other outcomes, such as caregiver turn-over, child continuity of care, and parent employment outcomes

The TRS four-year review is currently underway, with an expected completion in 2019. Additionally, TWC has partnered with CLI to provide training sessions designed specifically for TRS staff assessors and mentors, a certification program for TRS staff assessors and mentors and a validation study of the TRS program.

Effectiveness of the Child Care Program:
Texas law (Texas Labor Code §302.0043) requires TWC to evaluate the child care program’s effectiveness in helping parents who receive subsidized child care maintain employment. TWC is required to submit a report to the Texas legislature each odd-numbered year providing the following:
- employment outcome information, disaggregated by workforce area, for parents with children receiving subsidized care
- five-year trends identified in the information collected and analyzed

TWC uses employment and wage data provided by TWC’s Unemployment Insurance (UI) department to analyze the employment and wage trends of parents with children who are receiving subsidized child care.

ECDaWorks:
TWC has partnered with TEA to participate in the ECDaWorks project. The ECDaWorks project team works in a collaborative, outcomes-driven manner to conceptualize and develop tools to facilitate the organization, delivery, and strategic use of existing early childhood data.

This multi-year project, which is in its first year, is supported by the W. K. Kellogg Foundation and conducted by the University of Pennsylvania’s Consortium for Policy Research in Education (CPRE) in collaboration with leading experts in the field.

7.8.2 Describe the measureable indicators of progress relevant to this use of funds that the State/Territory will use to evaluate its progress in improving the quality of child care programs and services in child care centers and family child care homes within the
The Effectiveness of Child Care report includes the following:
- The number and percent of TANF parents with children receiving subsidized care who:
  1. find employment; and
  2. maintain employment after one year.
- The number and percent of non-TANF parents with a child receiving subsidized care who:
  1. maintain their employment; and
  2. experience a change in their earning after one year of employment.
  3. if the parent leaves the child care program:
     - the parent's reason for leaving the program; and
     - whether the parent returns to TANF or becomes a TANF recipient for the first time.


### 7.9 Accreditation Support

#### 7.9.1 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 statewide or territory-wide for both child care centers and family child care homes.

Describe the support efforts for all types of accreditation that the state/territory provides to child care centers and family child care homes to achieve accreditation.

Yes, the state/territory has supports operating statewide or territory-wide for child care centers only. Describe the support efforts for all types of accreditation that the state/territory provides to child care centers.

Describe:

Yes, the state/territory has supports operating statewide or territory-wide for family child care homes only. Describe the support efforts for all types of accreditation.
that the state/territory provides to family child care

Describe:

☑ Yes, the state/territory has supports operating as a pilot-test or in a few localities but not statewide or territory-wide

☑ Focused on child care centers

Describe:

Boards may offer services to providers that help them attain national accreditation.

☐ Focused on family child care homes

Describe:

☐ No, but the state/territory is in the accreditation development phase

☐ Focused on child care centers

Describe:

☐ Focused on family child care homes

Describe:

☐ No, the state/territory has no plans for accreditation development

7.9.2 Describe the measurable indicators of progress relevant to this use of funds that the state/territory will use to evaluate its progress in improving the quality of child care programs and services within the state/territory and the data on the extent to which the state or territory has met these measures

Beginning with the 2018 March–May quarterly report, Boards report to TWC the number of providers who received services help them attain accreditation.
7.10 Program Standards

7.10.1 Describe how the state/territory supports state/territory or local efforts to develop or adopt high-quality program standards, including standards for infants and toddlers, preschoolers, and/or school-age children

As described above, Texas has high-quality standards for infants and toddlers, preschoolers, and school-age child care programs. TWC and Boards provide training that specifically aligns with guidelines, and TRS standards include elements to align curriculum with these standards.

7.10.2 Describe the measureable indicators of progress relevant to this use of funds that the state/territory will use to evaluate its progress in improving the quality of child care programs and services within the state/territory and the data on the extent to which the state or territory has met these measures

In fall 2017, CLI began development of the Texas Kindergarten Entry Assessment (TX-KEA) in partnership TEA. TX-KEA will be freely accessible 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 a point-in-time snapshot of each student’s competencies and will inform instruction and identify whether additional instruction or diagnostic assessment is needed.

7.11 Early Learning and Development Guidelines and Other Quality Improvement Activities
7.11.1 If quality funds are used to develop, maintain, or implement early learning and development guidelines, describe the measureable indicators that will be used to evaluate the state/territory's progress in improving the quality of child care programs and services and the data on the extent to which the state/territory has met these measures (98.53(f)(3)).

Collaborative Project: Planning for Individualized Instruction

TWC is continuing to partner with TAEYC, in collaboration with Teaching Strategies, to implement an early childhood assessment project throughout the state. At no cost to providers, Teaching Strategies provides developmentally appropriate tools that enable early childhood caregivers to assess the development and learning of children from birth to five years of age. Teaching Strategies trains caregivers to use the assessment tools, gather and report data, and use the assessment data to offer care and instruction that is individualized according to each child’s strengths and needs. Relevant measures include the following:
- Number of child care providers participating in the pilot
- Number of caregivers trained on the instructional and assessment tools
- Appropriate gains in child development measures

7.11.2 List and describe any other activities that the state/territory provides to improve the quality of child care services for infants and toddlers, preschool-aged, and school-aged children, which may include consumer and provider education activities, and also describe the measureable indicators of progress for each activity relevant to this use of funds that the state/territory will use to evaluate its progress in improving provider preparedness, child safety, child well-being, or kindergarten entry and the data on the extent to which the state or territory has met these measures. Describe:
8 Ensure Grantee Program Integrity and Accountability

Program integrity and accountability activities are integral to the effective administration of the CCDF program. Lead Agencies are required to describe in their Plan effective internal controls that ensure integrity and accountability while maintaining the continuity of services (98.16(cc)). These accountability measures should address reducing fraud, waste, and abuse, including program violations and administrative errors.

This section includes topics on internal controls to ensure integrity and accountability and processes in place to investigate and recover fraudulent payments and to impose sanctions on clients or providers in response to fraud. Respondents should consider how fiscal controls, program integrity and accountability apply to:

-- Memorandums of understanding within the Lead Agency's various divisions that administer or carry out the various aspects of CCDF

-- MOU's, grants, or contracts to other state agencies that administer or carry out various aspects of CCDF

-- Grants or contracts to other organizations that administer or carry out various aspects of CCDF such as professional development and family engagement activities

-- Internal processes for conducting child care provider subsidy

8.1 Internal Controls and Accountability Measures To Help Ensure Program Integrity

8.1.1 Check and describe how the Lead Agency ensures that all its staff members and any staff members in other agencies who administer the CCDF program through MOUs, grants and contracts are informed and trained regarding program requirements and integrity. Check all that apply:

☑ Train on policy manual

Describe:

TWC provides Boards and Board contractors with training through on-site instruction,
webinars, desk aids, TA Bulletins, conferences, and regional training sessions.

- **Train on policy change notices**
  
  Describe:
  
  TWC provides Boards and Board contractors with training through on-site instruction, webinars, desk aids, TA Bulletins, conferences, and regional training sessions.

- **Ongoing monitoring and assessment of policy implementation**
  
  Describe:
  
  TWC's Child Care Technical Assistance department (TA) provides regular onsite visits to consult with Boards on program requirements and policy implementation. Boards and Board contractors conduct regular staff monitoring to ensure compliance with child care policies and procedures, and TWC's SRM annually monitor Boards to ensure that the funds are spent in accordance with applicable federal and state statutes, regulations, and rules.

- **Other**
  
  Describe:

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8.1.2 **Lead Agencies must ensure the integrity of the use of funds through sound fiscal management and must ensure that financial practices are in place (98.68 (a)(1)). Describe the processes in place for the Lead Agency to ensure sound fiscal management practices for all expenditures of CCDF funds. Check all that apply:**

- **Verifying and processing billing records to ensure timely payments to providers**
  
  Describe:
  
  Boards and Board contractors confirm the receipt of child care services through an automated system that interfaces with the CCAA system. Through the automated system, Boards and Board contractors then verify the payment amounts, generate payment proofs, and process the payments on a regularly scheduled basis.
Fiscal oversight of grants and contracts
Describe:
TWC’s Finance department (Finance) oversees the allocation of CCDF funds to Boards. Finance determines the allocation amount for each workforce area and provides an automated cash draw system to allow Boards to access allotted funds, as needed, and to report expenditures. The system does not allow Boards to spend more than the amount allocated or budgeted. Finance also provides the resources necessary for completing the Administration for Children and Families ACF-696 Report.

☐ Tracking systems to ensure reasonable and allowable costs
Describe:

☐ Other
Describe:

8.1.3 Check and describe the processes that the Lead Agency will use to identify risk in their CCDF program. Check all that apply:

☑ Conduct a risk assessment of policies and procedures
Describe:
TWC requires each Board to:
- submit child care policies to TWC upon request; and
- submit individual plans for monitoring child care contractors.

☑ Establish checks and balances to ensure program integrity
Describe:
TWC’s Regulatory Integrity Division (RID) Office of Investigations and SRM 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.

☑ Use supervisory reviews to ensure accuracy in eligibility determination
Describe:
Boards and Board contractors use case reviews and other quality assurance measures
to ensure accuracy in eligibility determinations.

Other

Describe:

8.1.4 Lead Agencies conduct a wide variety of activities to fight fraud and ensure program integrity. Lead Agencies are required to have processes in place to identify fraud and other program violations to ensure program integrity. Program violations can include both intentional and unintentional client and/or provider violations, as defined by the Lead Agency. These violations and errors, identified through the error-rate review process may result in payment or nonpayment (administrative) errors and may or may not be the result of fraud, based on the Lead Agency definition. Check and describe any activities that the Lead Agency conducts to ensure program integrity.

a) Check and describe all activities that the Lead Agency conducts to identify and prevent fraud or intentional program violations. Include in the description how each activity assists in the identification and prevention of fraud and intentional program violations. Include a description of the results of such activity.

Share/match data from other programs (e.g., TANF program, Child and Adult Care Food Program, 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)).

Describe

As described below, TWC matches child care program data with data from the state’s Unemployment Insurance program and state wage records.

Run system reports that flag errors (include types).

Describe:

TWC’s TA Bulletin 276, Child Care Fraud Detection Report Tools-Update, provides Boards with information on child care fraud detection reports. TWC provides these reports through SRM and through TWIST to assist Boards with detection of potential fraud.
Subrecipient Monitoring Reports

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. SRM 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 may have experienced a non-temporary change in work activities 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 three-month 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. SRM 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 WIOA 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 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 TANF payments.

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 5 percent of all TWC-funded children are in a relative care setting.

SRM 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.

TWIST Web Reports

*Child Care Cases/ Clients with the Same SSN Report*

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 enrollment documents and attendance or billing records**
  
  Describe:
  
  Boards ensure that attendance is reviewed with each billing cycle. Additionally, Boards ensure staff conduct quality assurance reviews of enrollment documents and billing records. Records are also reviewed by Board’s independent audit provider and TWC SRM staff.

- **Conduct supervisory staff reviews or quality assurance reviews.**
  
  Describe:
  
  Boards ensure that Board or contractor staff conduct quality assurance reviews prior to eligibility determination, in response to risks identified through reports or other means, and as random spot checks.

- **Audit provider records.**
  
  Describe:
✓ Train staff on policy and/or audits.
Describe:
TWC provides training and technical assistance on program policies. Additionally, Boards ensure Board and contractor staff receive training locally and/or participate in TWC training and technical assistance. TWC and the Boards also participate in a statewide Quality Assurance Network that meets on a quarterly basis to participate in training, share best practices, and learn about quality assurance issues.

☐ Other
Describe:

b) Check and describe all activities the Lead Agency conducts to identify unintentional program violations. Include in the description how each activity assists in the identification and prevention of unintentional program violations. Include a description of the results of such activity.

✓ Share/match data from other programs (e.g., TANF program, CACFP, FNS, Medicaid) or other databases (e.g., State Directory of New Hires, Social Security Administration, PARIS).
Describe:
As described above, TWC matches child care program data with data from the state's Unemployment Insurance program and state wage records.

☐ Run system reports that flag errors (include types).
Describe:
N/A

✓ Review enrollment documents and attendance or billing records
Describe:
Boards ensure that attendance is reviewed with each billing cycle. Additionally, Boards ensure staff conduct quality assurance reviews of enrollment documents and billing records. Records are also reviewed by Board’s independent audit provider and TWC SRM staff.
☐ Conduct supervisory staff reviews or quality assurance reviews.
Describe:
Boards ensure that Board or contractor staff conduct quality assurance reviews prior to eligibility determination, in response to risks identified through reports or other means, and as random spot checks.

☐ Audit provider records.
Describe:
N/A

☐ Train staff on policy and/or audits.
Describe:
N/A

☐ Other
Describe:
N/A

c) Check and describe all activities the Lead Agency conducts to identify and prevent agency errors. Include in the description how each activity assists in the identification and prevention of agency errors.

☐ Share/match data from other programs (e.g., TANF program, CACFP, FNS, Medicaid) or other databases (e.g., State Directory of New Hires, Social Security Administration, PARIS).
Describe:
As described above, TWC matches child care program data with data from the state's Unemployment Insurance program and state wage records.

☐ Run system reports that flag errors (include types).
Describe:
N/A

☐ Review enrollment documents and attendance or billing records
Describe:
Boards ensure that attendance is reviewed with each billing cycle. Additionally, Boards ensure staff conduct quality assurance reviews of enrollment documents and billing records. Records are also reviewed by Board’s independent audit provider and TWC SRM staff.

☑ Conduct supervisory staff reviews or quality assurance reviews.
Describe:
Boards ensure that Board or contractor staff conduct quality assurance reviews prior to eligibility determination, in response to risks identified through reports or other means, and as random spot checks.

☐ Audit provider records.
Describe:
N/A

☐ Train staff on policy and/or audits.
Describe:
N/A

☐ Other
Describe:
N/A

8.1.5 The Lead Agency is required to identify and recover misspent funds as a result of fraud, and it has the option to recover any misspent funds as a result of errors.

a) Check and describe all activities that the Lead Agency uses to investigate and recover improper payments due to fraud. Include in the description how each activity assists in the investigation and recovery of improper payment due to fraud or intentional program violations. Include a description of the results of such activity. Activities can include, but are not limited to, the following:
Require recovery after a minimum dollar amount of an improper payment and identify the minimum dollar amount

Coordinate with and refer to the other state/territory agencies (e.g., state/territory collection agency, law enforcement agency).

TWC's Office of Investigations coordinates with local law enforcement agencies and refers substantiated cases of fraud for prosecution.

Recover through repayment plans.

TWC and Board staff use the Program Integrity Reporting and Tracking System to manage repayment plans due to fraud.

Reduce payments in subsequent months.

Recover through state/territory tax intercepts.

Recover through other means.

Establish a unit to investigate and collect improper payments and describe the composition of the unit below.

TWC's Office of Investigations investigates and prosecutes potential fraud and assists the Boards with fact-finding efforts. Specific guidance on reporting and fact-finding fraud is addressed in Workforce Development Letter 21-16: Requirements for Reporting and Fact-Finding for Suspected Fraud, Waste, Theft, Program Abuse Cases, and Recovery of Improper Payments-Update. Additionally, TWC's Office of Investigations has developed a Fact-Finder's Desk Aid to provide Boards with a framework for determining fraud. From October 1, 2016 to the end of the State Fiscal...
Year (SFY) 2017 (August 31, 2017) Texas’ 28 Workforce Boards opened 744 cases for fact-finding and closed 365. Of the 365 cases closed, $150,069 in overpayments were established.

☐ Other
Describe:

b) Check any activities that the Lead Agency will use to investigate and recover improper payments due to unintentional program violations. Include in the description how each activity assists in the investigation and recovery of improper payments due to unintentional program violations. Include a description of the results of such activity. Activities can include, but are not limited to, the following:

☐ Require recovery after a minimum dollar amount of an improper payment and identify the minimum dollar amount
Describe:

☐ Coordinate with and refer to the other state/territory agencies (e.g., state/territory collection agency, law enforcement agency).
Describe:

☐ Recover through repayment plans.
Describe:
TWC and Board staff use the Program Integrity Reporting and Tracking System to manage repayment plans due to unintentional program violations.

☐ Reduce payments in subsequent months.
Describe:
TWC and Board staff use the Program Integrity Reporting and Tracking System to manage repayment plans due to unintentional program violations.

☐ Recover through state/territory tax intercepts.
Describe:
Recover through other means.

Describe:

Establish a unit to investigate and collect improper payments and describe the composition of the unit below.

Describe:
TWC's Office of Investigation investigates and prosecutes potential fraud and assists Boards with fact-finding efforts and repayment collection for improper payments.

Other

Describe:

c) Check and describe all activities that the Lead Agency will use to investigate and recover improper payments due to agency errors. Include in the description how each activity assists in the investigation and recovery of improper payments due to administrative errors. Include a description of the results of such activity.

Require recovery after a minimum dollar amount of an improper payment and identify the minimum dollar amount

Describe:

Coordinate with and refer to the other state/territory agencies (e.g., state/territory collection agency, law enforcement agency).

Describe:

Recover through repayment plans.

Establish a unit to investigate and collect improper payments.
TWC and Board staff use the Program Integrity Reporting and Tracking System to manage repayment plans due to administrative error.

Reduce payments in subsequent months.

Describe:
TWC and Board staff use the Program Integrity Reporting and Tracking System to manage repayment plans due to administrative error.
Recover through state/territory tax intercepts.
Describe:

Recover through other means.
Describe:

Establish a unit to investigate and collect improper payments and describe the composition of the unit below.
Describe:
TWC's Office of Investigation investigates and prosecutes potential fraud and assists Boards with fact-finding efforts and repayment collection for improper payments.

Other
Describe:

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? Check and describe all that apply:

Disqualify the client. If checked, describe this process, including a description of the appeal process for clients who are disqualified.
Describe:
TWC Child Care Services rule §809.117(e) requires Boards to prohibit future eligibility for subsidized child care if a parent owes repayments due to a fraud determination (provided that the prohibition does not result in a Choices or SNAP E&T participant becoming ineligible for child care).

A parent may request an appeal pursuant to TWC's Chapter 823 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.
Additionally, to more effectively enforce requirements for recording attendance in TWC's CCAA system, effective January 2013, TWC Child Care Services rule §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 or personal identification number (PIN) to a provider.

A parent may request an appeal pursuant to TWC's Chapter 823, 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 the provider. If checked, describe this process, including a description of the appeal process for providers who are disqualified.**

  **Describe:**
  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 TWC's Chapter 823, 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.**

  **Describe:**
  TWC's Office of Investigations investigates potential fraud and refers substantiated cases for prosecution by law enforcement.

- **Other.**
Appendix A: Background Check Waiver Request Form

Lead Agencies may apply for a temporary waiver for certain background check requirements if milestone prerequisites have been fully implemented. These waivers will be considered "transitional and legislative waivers" to provide transitional relief from conflicting or duplicative requirements preventing implementation, or an extended period of time in order for the state/territory legislature to enact legislation to implement the provisions (98.19(b)(1)) These waivers are limited to a one-year period and may be extended for at most one additional year from the date of initial approval.

Approval of these waiver requests is subject to and contingent on OCC review and approval of responses in section 5 questions 5.4.1 -- 5.4.4 to confirm that the milestones are met. If milestone prerequisites are not met, the waiver request will not be approved. Approved waivers would begin October 1, 2018 through September 30, 2019. If approved, States and Territories will have the option to renew these waivers for one additional year as long as progress is demonstrated during the initial waiver period. Separate guidance will be issued later on the timeline and criteria for requesting the waiver renewal.

Overview of Background Check Implementation deadlines

Original deadline for implementation (658H(j)(1) of CCDBG Act): September 30, 2017

Initial one-year extension deadline (658H(j)(2) of CCDBG Act): September 30, 2018

One-year waiver deadline (45 CFR 98.19(b)(1)(i)): September 30, 2019

Waiver deadline one-year renewal (45 CFR 98.19(b)(1)(ii)): September 30, 2020

Waiver approval for new (prospective) staff, existing staff or staff hired provisionally until background checks are completed, are subject to and contingent upon the OCC review and approval of responses to 5.4.9 that demonstrate that the state/territory requires: (1) the provider to submit the background check request before the staff person begins working; and (2) pending the results of the background check, the staff person must be supervised at all times by an individual who has completed the background check.
To submit a background check waiver request, complete the form below.

Check and describe each background check provision for which the Lead Agency is requesting a time-limited waiver extension.

**Appendix A.5:** National Crime Information Center (NCIC) National Sex Offender Registry (NSOR) search requirements for new or prospective staff. (See related question at 5.4.5 (a))

Describe the provision from which the state/territory seeks relief.
Texas seeks temporary relief from the provision requiring NSOR checks for all licensed, regulated, or registered child care providers.

Describe how a waiver of the provision will, by itself, improve the delivery of child care services for children
At this time, CCL does not have the technological resources to implement this check. Temporary relief from the requirement will allow Texas’ child care providers to continue to provide services while the agency secures needed resources.

Certify and describe how the health, safety, and well-being of children served through assistance received through CCDF will not be compromised as a result of the waiver.
Texas has fully implemented all required in-state background checks as well as FBI fingerprint checks, ensuring there is already a strong background check process in place.

**Appendix A.6:** National Crime Information Center (NCIC) National Sex Offender Registry (NSOR) search requirements for existing staff. (See related question at 5.4.5 (b))

Describe the provision from which the state/territory seeks relief.
Texas seeks temporary relief from the provision requiring NSOR checks for all licensed, regulated, or registered child care providers.

Describe how a waiver of the provision will, by itself, improve the delivery of child care services for children
At this time, CCL does not have the technological resources to implement this check.
Temporary relief from the requirement will allow Texas' child care providers to continue to provide services while the agency secures needed resources.

Certify and describe how the health, safety, and well-being of children served through assistance received through CCDF will not be compromised as a result of the waiver. Texas has fully implemented all required in-state background checks as well as national FBI fingerprint checks, ensuring there is already a strong background check process in place.

**Appendix A.7: Interstate criminal registry or repository check for new or prospective staff. (See related question at 5.4.6 (a))**

Describe the provision from which the state/territory seeks relief.

Texas seeks temporary relief from the provision requiring interstate criminal registry or repository checks.

Describe how a waiver of the provision will, by itself, improve the delivery of child care services for children

CCL licensing will begin implementation of this requirement in January 2019. At this time, technology changes are underway to support this change. Temporary relief from this requirement will allow Texas' child care providers to continue to provide services while CCL completes implementation.

Certify and describe how the health, safety, and well-being of children served through assistance received through CCDF will not be compromised as a result of the waiver. Texas has fully implemented all required in-state background checks as well as national FBI fingerprint checks, ensuring there is already a strong background check process in place.

**Appendix A.8: Interstate criminal registry or repository check for existing staff. (See related question at 5.4.6 (b))**

Describe the provision from which the state/territory seeks relief.

Texas seeks temporary relief from the provision requiring interstate criminal registry or repository checks.
Describe how a waiver of the provision will, by itself, improve the delivery of child care services for children
CCL licensing will begin implementation of this requirement in January 2019. At this time, technology changes are underway to support this change. Temporary relief from this requirement will allow Texas' child care providers to continue to provide services while CCL completes implementation.

Certify and describe how the health, safety, and well-being of children served through assistance received through CCDF will not be compromised as a result of the waiver. Texas has fully implemented all required in-state background checks as well as national FBI fingerprint checks, ensuring there is already a strong background check process in place.

☑️ Appendix A.9: Interstate sex offender registry or repository check for new or prospective staff. (See related question at 5.4.7 (a))
Describe the provision from which the state/territory seeks relief.
Texas seeks temporary relief from the provision requiring interstate sex offender registry or repository checks.

Describe how a waiver of the provision will, by itself, improve the delivery of child care services for children
CCL licensing will begin implementation of this requirement in January 2019. At this time, technology changes are underway to support this change. Temporary relief from this requirement will allow Texas' child care providers to continue to provide services while CCL completes implementation.

Certify and describe how the health, safety, and well-being of children served through assistance received through CCDF will not be compromised as a result of the waiver. Texas has fully implemented all required in-state background checks as well as national FBI fingerprint checks, ensuring there is already a strong background check process in place.

☑️ Appendix A.10: Interstate sex offender registry or repository check for existing staff. (See related question at 5.4.7 (b))
Describe the provision from which the state/territory seeks relief.
Texas seeks temporary relief from the provision requiring interstate sex offender registry or repository checks.

Describe how a waiver of the provision will, by itself, improve the delivery of child care services for children
CCL licensing will begin implementation of this requirement in January 2019. At this time, technology changes are underway to support this change. Temporary relief from this requirement will allow Texas' child care providers to continue to provide services while CCL completes implementation.

Certify and describe how the health, safety, and well-being of children served through assistance received through CCDF will not be compromised as a result of the waiver.
Texas has fully implemented all required in-state background checks as well as national FBI fingerprint checks, ensuring there is already a strong background check process in place.

☑️ **Appendix A.11: Interstate child abuse and neglect registry check for new or prospective staff. (See related question at 5.4.8 (a))**

Describe the provision from which the state/territory seeks relief.
Texas seeks temporary relief from the provision requiring interstate child abuse and neglect registry checks.

Describe how a waiver of the provision will, by itself, improve the delivery of child care services for children
CCL licensing will begin implementation of this requirement in January 2019. At this time, technology changes are underway to support this change. Temporary relief from this requirement will allow Texas' child care providers to continue to provide services while CCL completes implementation.

Certify and describe how the health, safety, and well-being of children served through assistance received through CCDF will not be compromised as a result of the waiver.
Texas has fully implemented all required in-state background checks as well as national FBI fingerprint checks, ensuring there is already a strong background check process in place.
Appendix A.12: Interstate child abuse and neglect registry check for existing staff. (See related question at 5.4.8 (b))

Describe the provision from which the state/territory seeks relief.
Texas seeks temporary relief from the provision requiring interstate child abuse and neglect registry checks.

Describe how a waiver of the provision will, by itself, improve the delivery of child care services for children
CCL licensing will begin implementation of this requirement in January 2019. At this time, technology changes are underway to support this change. Temporary relief from this requirement will allow Texas' child care providers to continue to provide services while CCL completes implementation.

Certify and describe how the health, safety, and well-being of children served through assistance received through CCDF will not be compromised as a result of the waiver.
Texas has fully implemented all required in-state background checks as well as national FBI fingerprint checks, ensuring there is already a strong background check process in place.