

Legal Responsibility for Child Care Licensing

Day Care and Residential Care: Statutory References

Social Security Act
 Human Resources Code, Chapters 40, 42, and 43
 Texas Family Code, Title 5
 Texas Government Code
 Texas Health and Safety Code, Chapter 249
 Texas Administrative Code, Title 40

Major Provisions:

- Develop minimum standards that promote the health, safety and well being of children in out-of-home care.
- Issue licenses to facilities meeting minimum standards.
- Inspect facilities to ensure they maintain compliance with the minimum standards.
- Investigate complaints and ensure that corrective or adverse action is taken as appropriate.
- Register and list family homes.
- Conduct criminal background checks and DFPS central registry checks on all child care staff, foster parents, adoptive parents, licensed administrators, home care providers and anyone 14 years or older who will regularly or frequently be present at an operation while children are in care.
- Provide technical assistance on meeting and maintaining minimum standards and encourage improvement of child care programs.

Challenges:

- Meet the growing demand for public information on child care regulation and private adoptions.
- Educate parents to make informed choices when selecting day care for their children
- Meet the growing training and technical assistance needs of the child care community.
- Respond to the increasingly complex needs of facilities serving troubled and abused children in residential care.

Fiscal Year 2003 Expenditures and Staffing

Fiscal Year 2003 Expenditures: \$23,989,393

408 Daycare/Residential Child Care Licensing Staff
 452 Total staff