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Day Care Licensing Overview

The Texas Department of Family and Protective Services is granted its authority to regulate child-care facilities and child-placing agencies by the Texas Legislature in Chapter 42 of the Texas Human Resources Code.

The purpose of regulation is to protect a group or class of children by establishing and enforcing statewide minimum standards.

Worker Demographics

Number of Staff	232 FTEs
Turnover Rate *	14.0%
Average Tenure *	5.6 years
Less than 3 Years *	35.0%
Average Salary	\$31,280.04

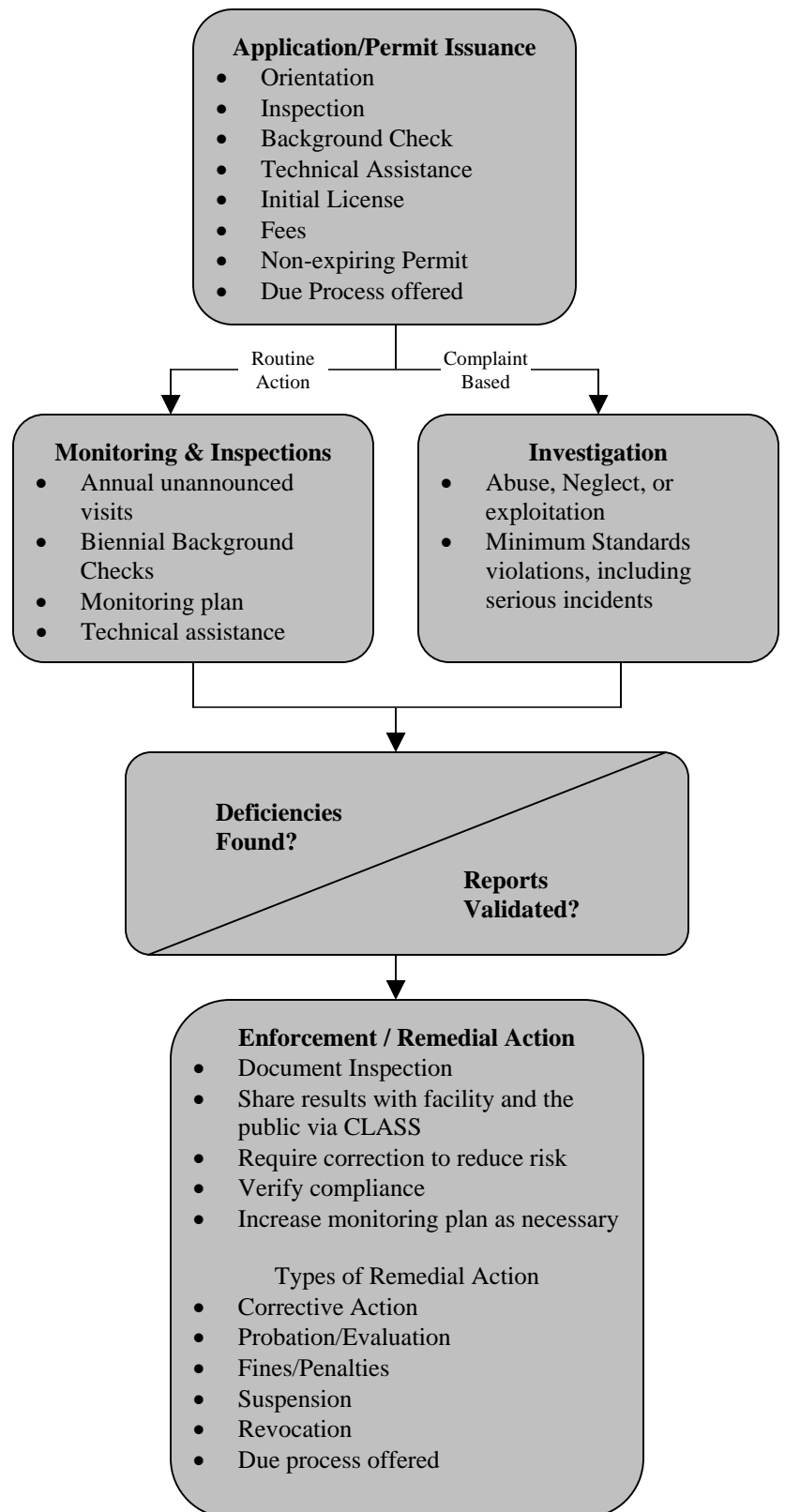
Supervisor Demographics

Number of Staff	29 FTEs
Turnover Rate *	0.0%
Average Tenure *	9.6 years
Less than 3 Years *	8.8%
Average Salary	\$38,079.36

* Includes all Licensing Workers and Supervisors

Statistics FY 2005

Daycare Operations/Homes	22,485
Capacity	903,094
Abuse/Neglect Investigations	1,320
Non-Abuse/Neglect Investigations	9,017
Inspections	38,671
Adverse Actions	165



Note: The chart is for reference only and does not necessarily represent the flow of a case

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Residential Child-Care Licensing Overview

The Texas Department of Family and Protective Services is granted its authority to regulate child-care facilities and child-placing agencies (CPS) by the Texas Legislature in Chapter 42 of the Texas Human Resources Code.

The purpose of regulation is to protect a group or class of children by establishing and enforcing statewide minimum standards.

Worker Demographics

Number of Staff	44 FTEs
Turnover Rate *	14.0%
Average Tenure *	5.6 years
Less than 3 Years *	35.0%
Average Salary	\$35,217.48

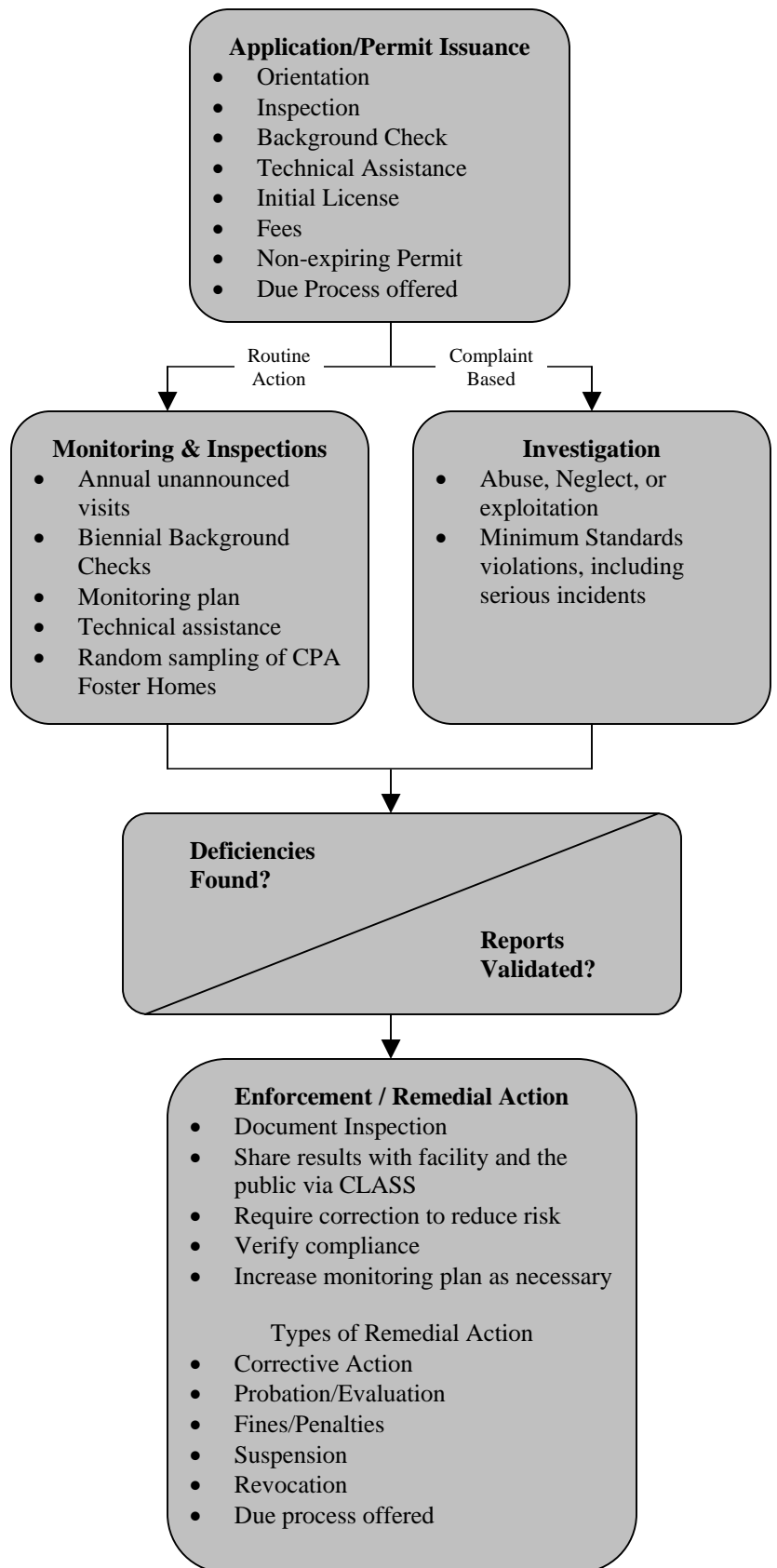
Supervisor Demographics

Number of Staff	6 FTEs
Turnover Rate *	0.0%
Average Tenure *	9.6 years
Less than 3 Years *	8.8%
Average Salary	\$44,051.76

* Includes all Licensing Workers and Supervisors

Statistics FY 2005

24-Hour Care Facilities	10,257
Capacity of Facilities	45,103
Abuse/Neglect Investigations	2,158
Non-Abuse/Neglect Investigations	2,662
Inspections	4,590
Adverse Actions	9



Note: The chart is for reference only and does not necessarily represent the flow of a case

Note: Child-Placing Agencies validate and assure that agency homes meet standards.

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 to promote the health, safety and well being of children in out-of-home care.
- Process applications and issue permits to child care operations (this is a term inclusive of child day care, residential child-care, and child-placing operations) meeting minimum standards.
- Inspect child-care operations to ensure they maintain compliance with minimum standards.
- Investigate complaints of abuse/neglect or standard violations and ensure appropriate corrective or adverse actions are taken.
- Conduct criminal background checks and DFPS central registry checks on all adult staff or caregivers, and youth age 14 – 18 who will be in frequent or regular contact with children in child-care operations.
- Provide technical assistance on compliance with minimum standards and encourage improvement of child-care operations.
- Educate and advise consumers of child-care operations by providing the operations' compliance history .

Challenges:

- Appropriately and consistently enforcing minimum standards across operation type and throughout the state.
- Regulating Child-Placing Agencies as they grow in size and scope.
- Creating a system of weighted minimum standards in order to help quantify compliance.
- Supporting the complex needs of operations serving troubled and abused children in residential care.
- Meeting the growing training and technical assistance needs of the child-care community.
- Developing inclusive, appropriate, and effective relationships with child-care operations resulting in increased compliance and stronger protection for children.

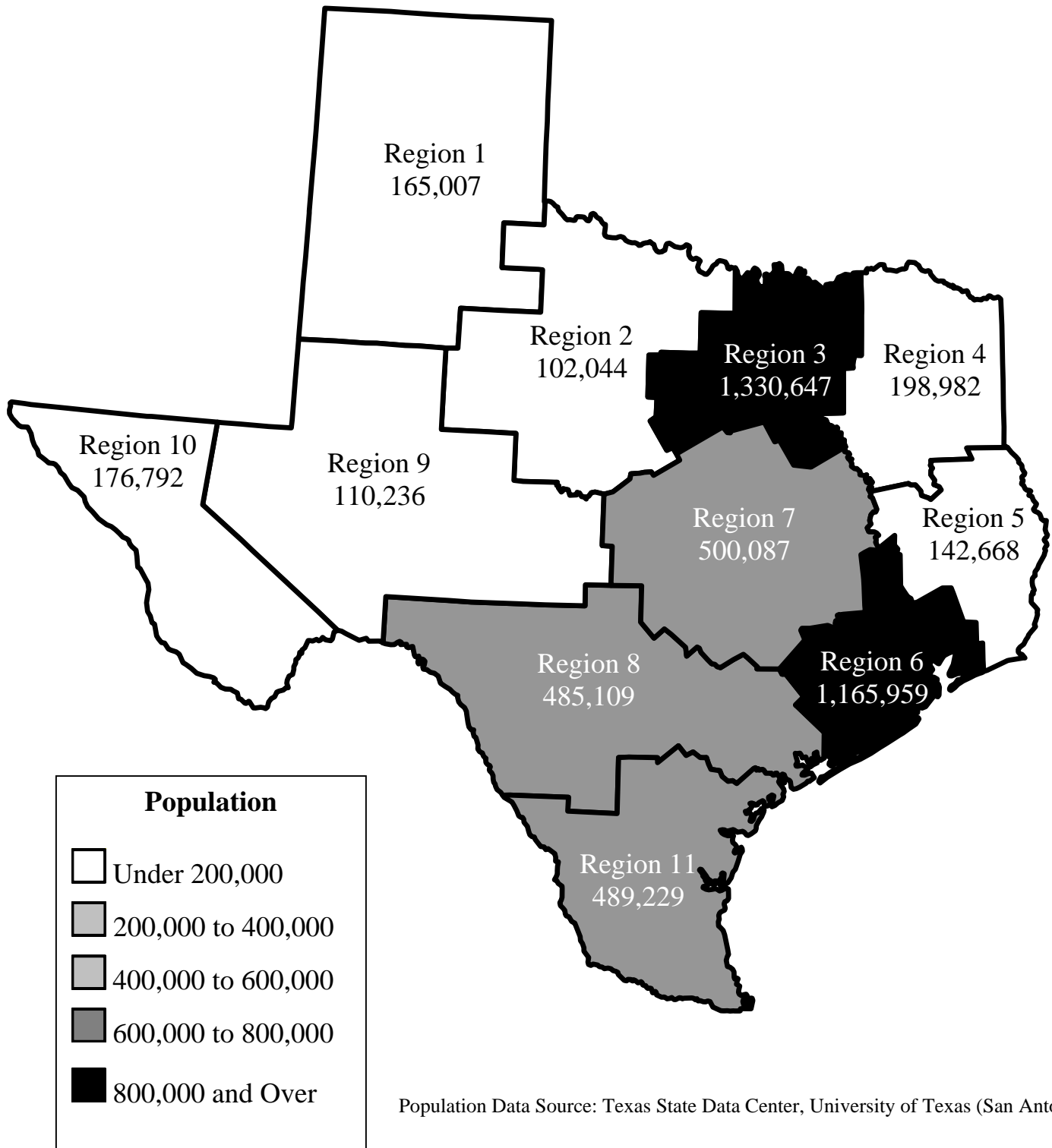
Fiscal Year 2005 Expenditures and Staffing

Licensing Staff Costs \$19,526,876

374 Daycare/Residential Child Care Licensing Staff
 421 Total staff

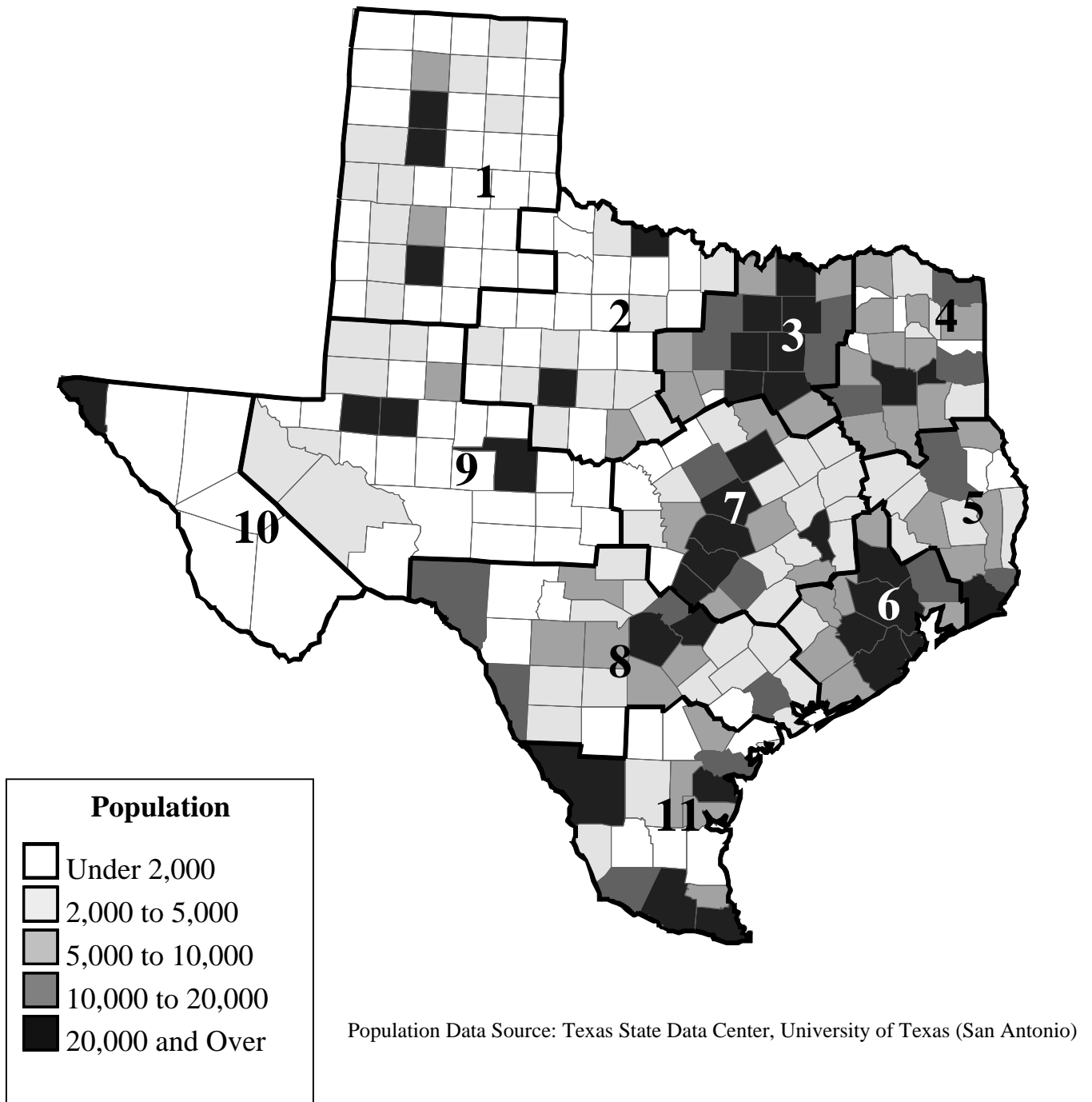
Texas Child Population Ages Birth to 13 by Region Fiscal Year 2005

State Total: 4,866,760



Texas Child Population Ages Birth to 13 by County Fiscal Year 2005

State Total: 4,866,760



Child-Care Operations in Texas at End of August by Fiscal Year

Year	Day Care Facilities	Registered Child-Care Homes	Listed Family Homes	Residential Facilities / Homes	Child-Placing Agencies (CPA)
2001	10,603	9,659	3,439	8,096	225
2002	10,903	9,584	3,194	8,788	242
2003	10,938	9,355	3,366	8,950	249
2004	10,621	8,422	3,845	9,033	275
2005	10,545	7,808	4,132	9,965	292

Complaint Investigations in Child-Care Operations Fiscal Year 2005

Operation Type	Total Number of Operations as of August 31, 2005	Complaints Investigated	Abuse/Neglect Complaints Investigated		Non-Abuse/Neglect Complaints Investigated	
			Total	Valid	Total	Deficiency Cited
Day Care Licensing						
Licensed Child-Care Centers	8,900	9,002	1,106	168	7,896	2,888
Licensed Child-Care Homes	1,645	292	66	14	226	89
Registered Child-Care Homes	7,808	729	140	36	589	322
Listed Family Homes	4,132	314	8	2	306	235
Unknown Day Care Type	N/A	N/A	0	0	N/A	N/A
Totals	22,485	10,337	1,320	220	9,017	3,534
Residential Licensing (24-Hour Care)						
Facilities	261	1,499	964	138	535	156
Independent Foster Homes	34	37	19	4	18	3
CPAs and CPA Foster and Adoptive Homes *	6,095	2,106	1,124	99	982	133
Child Protective Services Foster and Adoptive Homes	3,867	470	37	7	433	N/A
Unknown Residential Type	N/A	708	14	1	694	183
Totals	10,257	4,820	2,158	249	2,662	475
Facility Type Unknown	NA	0	0	0	0	0
Totals - All Operation Types	32,742	15,157	3,478	469	11,679	4,009

* Includes total CPA Licenses plus Branch Offices

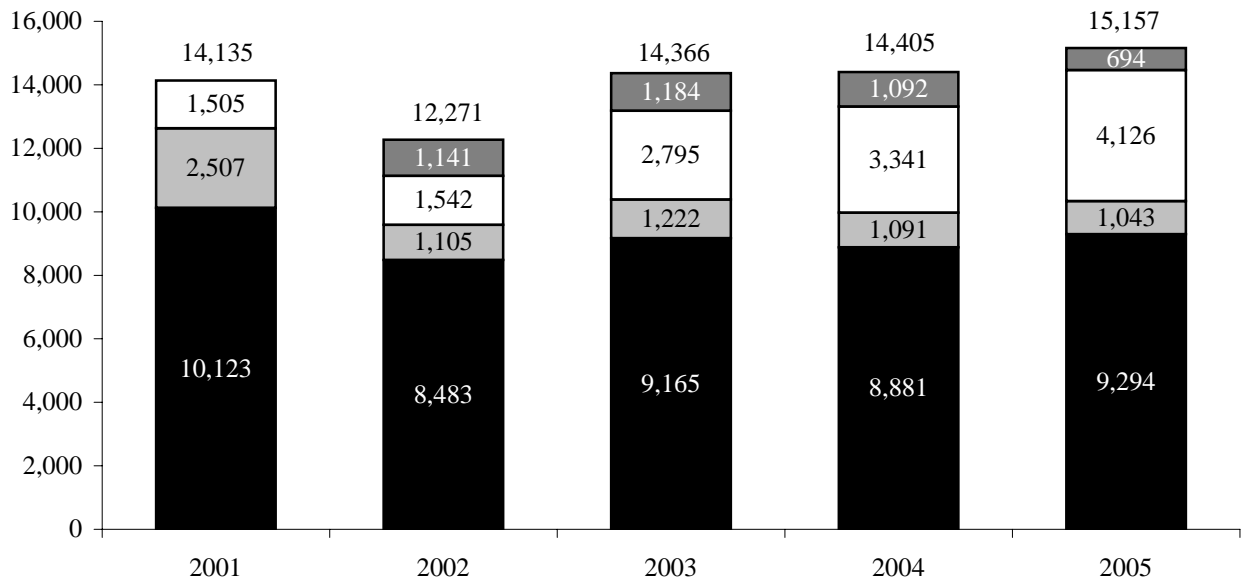
Child-Care Operations in Texas as of August 31

Type of Operation	2004		2005	
	Number	Capacity	Number	Capacity
Day Care Licensing				
Licensed Child-Care Centers	8,889	820,360	8,900	834,064
Licensed Child-Care Homes	1,732	20,667	1,645	19,625
Subtotal, Licensed/Certified Operations	10,621	841,027	10,545	853,689
Registered Child-Care Homes	8,422	50,532	7,808	46,848
Listed Homes	3,845	11,535	4,132	12,396
Total Day Care Operations and Homes	22,888	903,094	22,485	912,933
Residential Licensing (24-Hour Care)				
Independent Foster Group Homes	18	200	13	144
Independent Foster Family Homes	38	98	21	62
Operations Providing Basic Care	69	4,523	73	4,668
Operations Serving Mentally Retarded Children	3	138	3	138
Emergency Shelters	64	1,751	69	1,929
Residential Treatment Centers	88	3,843	94	4,359
Therapeutic Camps	7	356	7	286
Subtotal, Residential Operations	287	10,909	280	11,586
Child-Placing Agencies*	275	N/A	292	N/A
Agency Foster Homes	4,306	15,484	5,162	18,270
Agency Foster Group Homes	600	5,476	641	5,813
CPS** Foster Homes	3,090	8,867	3,103	8,786
CPS Foster Group Homes	85	555	73	451
CPS Adoptive Homes	649	N/A	691	N/A
Subtotal, Homes	8,730	30,382	9,670	33,320
Maternity Homes	16	199	15	197
Total Residential	9,308	41,490	10,257	45,103
Child-Care Administrators	861	N/A	879	N/A

* Child-Placing Agencies validate and assure that agency homes meet standards.

** CPS (Child Protective Services) is a licensed Child-Placing Agency.

Child-Care Operation Investigations by Fiscal Year



■ Licensed Day Care □ Registered/Listed Homes □ Residential (24-Hour) Child Care ■ Unlicensed Operations*

*Unlicensed operations include illegal operations and exemption requests.

Data on these were not available in previous years.

Investigations in Regulated Child-Care Operations Fiscal Year 2005

Region	Day Care Operations and Registered Family Homes	Residential (24-Hour) Operations	Unlicensed	Total
Lubbock (1)	486	118	30	634
Abilene (2)	220	99	18	337
Arlington (3)	2,736	332	208	3,276
Tyler (4)	386	84	13	483
Beaumont (5)	280	60	21	361
Houston (6)	2,277	560	141	2,978
Austin (7)	1,181	447	115	1,743
San Antonio (8)	1,676	352	79	2,107
Midland (9)	227	65	14	306
El Paso (10)	242	59	20	321
Edinburg (11)	624	247	28	899
Other/Unknown	2	1,703	7	1,712
State Total	10,337	4,126	694	15,157

Day Care Operations and Homes Regulated by Fiscal Year

Licensed Child-Care Centers		2005			
Lubbock (1)					324
Abilene (2)					207
Arlington (3)					2,180
Tyler (4)					359
Beaumont (5)					236
Houston (6)					2,190
Austin (7)					1,160
San Antonio (8)					919
Midland (9)					192
El Paso (10)					293
Edinburg (11)					840
Unknown					0
Total					8,900
Licensed Child-Care Homes		2005			
Lubbock (1)					82
Abilene (2)					76
Arlington (3)					319
Tyler (4)					89
Beaumont (5)					35
Houston (6)					167
Austin (7)					220
San Antonio (8)					114
Midland (9)					62
El Paso (10)					201
Edinburg (11)					280
Unknown					0
Total					1,645
Registered Child-Care Homes		2002	2003	2004	2005
Lubbock (1)		350	295	252	230
Abilene (2)		256	225	204	178
Arlington (3)		2,999	2,889	2,460	2,315
Tyler (4)		206	199	172	153
Beaumont (5)		120	116	103	104
Houston (6)		2,702	2,871	2,818	2,679
Austin (7)		1,080	1,016	870	773
San Antonio (8)		974	955	856	745
Midland (9)		109	91	69	66
El Paso (10)		84	81	88	98
Edinburg (11)		698	617	530	467
Unknown		6	0	0	0
Total		9,584	9,355	8,422	7,808
Listed Family Homes		2002	2003	2004	2005
Lubbock (1)		297	261	246	211
Abilene (2)		92	111	103	109
Arlington (3)		1,039	1,122	1,424	1,681
Tyler (4)		128	133	133	138
Beaumont (5)		70	71	89	93
Houston (6)		323	376	462	487
Austin (7)		703	668	757	855
San Antonio (8)		232	298	297	289
Midland (9)		78	96	107	86
El Paso (10)		76	76	75	55
Edinburg (11)		154	150	152	128
Unknown		2	4	0	0
Total		3,194	3,366	3,845	4,132

Residential Operations Regulated by Fiscal Year

Facilities	2005
Lubbock (1)	17
Abilene (2)	9
Arlington (3)	33
Tyler (4)	14
Beaumont (5)	10
Houston (6)	69
Austin (7)	43
San Antonio (8)	42
Midland (9)	7
El Paso (10)	5
Edinburg (11)	12
Unknown	0
Total	261

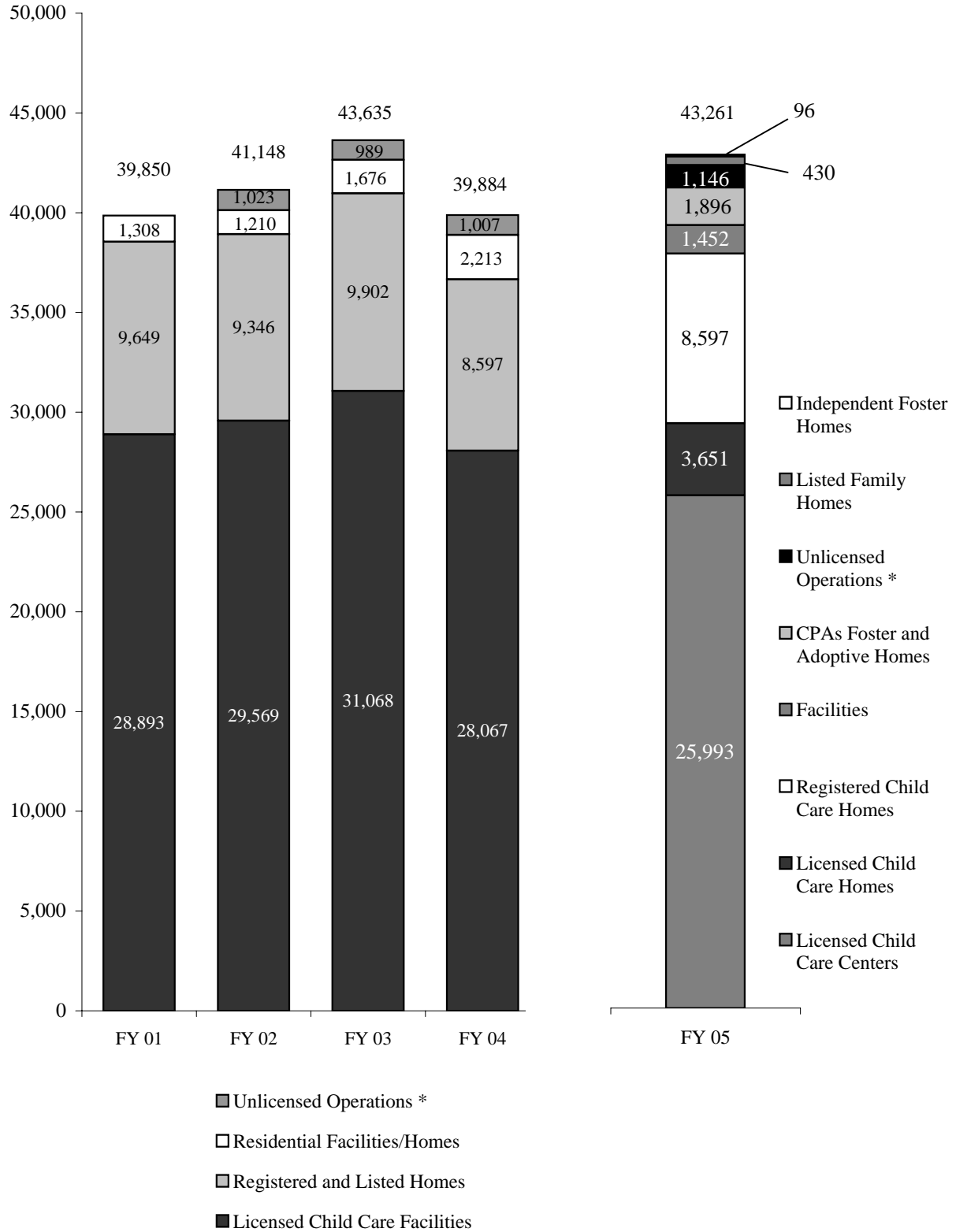
Independent Foster Homes	2005
Lubbock (1)	0
Abilene (2)	0
Arlington (3)	6
Tyler (4)	3
Beaumont (5)	1
Houston (6)	11
Austin (7)	5
San Antonio (8)	5
Midland (9)	1
El Paso (10)	0
Edinburg (11)	2
Unknown	0
Total	34

Child-Placing Agencies *	2005
Lubbock (1)	15
Abilene (2)	8
Arlington (3)	71
Tyler (4)	11
Beaumont (5)	8
Houston (6)	54
Austin (7)	45
San Antonio (8)	38
Midland (9)	5
El Paso (10)	7
Edinburg (11)	30
Unknown	0
Total	292

CPA Foster and Adoptive Homes	2005
Lubbock (1)	280
Abilene (2)	233
Arlington (3)	1,341
Tyler (4)	213
Beaumont (5)	131
Houston (6)	1,478
Austin (7)	756
San Antonio (8)	694
Midland (9)	79
El Paso (10)	162
Edinburg (11)	424
Unknown	12
Total	5,803

* Includes total CPA Licenses plus Branch Offices

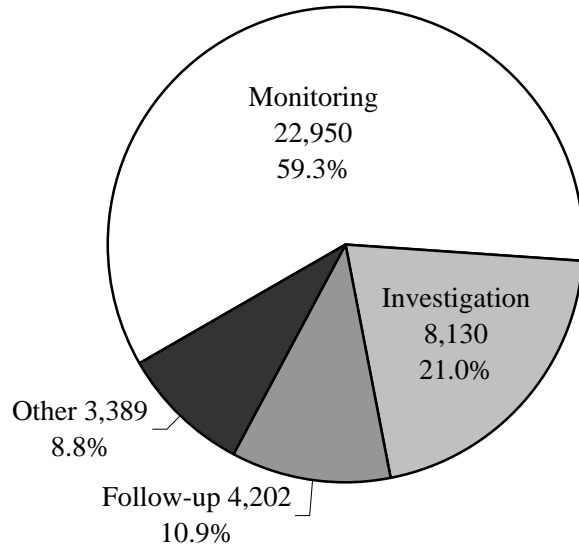
Child-Care Operation Inspections by Fiscal Year



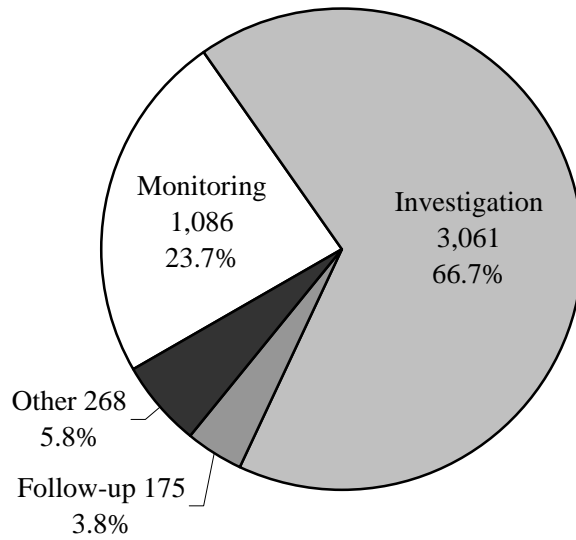
* Unlicensed operations include illegal operations and exemption requests. Data on these were not available in previous years.

Inspections in Regulated Child-Care Operations Fiscal Year 2005

Day Care
Total: 38,671



Residential Care
Total: 4,590



Adverse Actions in Day Care Operations by Region Fiscal Year 2005

Region	Permits Denied		Permits Revoked		Permits Suspended		Legal Injunctions		Total Adverse Actions
	Day Care	Registered Child-Care Home	Day Care	Registered Child-Care Home	Day Care	Registered Child-Care Home	Day Care	Registered Child-Care Home	
	Lubbock (1)	2	1	0	5	0	24	0	
Abilene (2)	0	0	0	1	1	1	0	0	3
Arlington (3)	2	4	7	8	4	4	0	0	29
Tyler (4)	1	0	1	0	4	2	0	0	8
Beaumont (5)	0	2	1	1	1	0	0	0	5
Houston (6)	6	1	1	13	13	13	1	0	48
Austin (7)	0	5	1	5	2	5	0	0	18
San Antonio (8)	2	2	1	6	2	2	0	0	15
Midland (9)	0	1	0	0	0	0	0	0	1
El Paso (10)	1	2	0	0	0	0	0	0	3
Edinburg (11)	0	0	1	2	0	0	0	0	3
State Total	14	18	13	41	27	51	1	0	165

Corrective Actions in Day Care Operations by Region Fiscal Year 2005

Region	Evaluation		Probation		Total Corrective Actions
	Day Care	Registered Child-Care Home	Day Care	Registered Child-Care Home	
Lubbock (1)	2	2	1	0	5
Abilene (2)	0	0	0	0	0
Arlington (3)	12	2	21	1	36
Tyler (4)	9	0	1	0	10
Beaumont (5)	2	1	0	0	3
Houston (6)	11	0	6	1	18
Austin (7)	25	3	1	0	29
San Antonio (8)	3	0	15	3	21
Midland (9)	0	0	1	0	1
El Paso (10)	0	0	0	1	1
Edinburg (11)	8	0	0	0	8
State Total	72	8	46	6	132

Licensing of Day Care Operations by Region Fiscal Year 2005

Region	Applications Accepted (Day Care)	Initial Permits Issued (New Day Care)	Applications Accepted (Registered Family Homes)	Permits Granted (New Registered Family Homes)	New Listed Family Homes
Lubbock (1)	28	28	77	26	47
Abilene (2)	32	29	77	27	48
Arlington (3)	375	323	1,004	315	611
Tyler (4)	48	44	87	29	56
Beaumont (5)	32	30	46	17	19
Houston (6)	360	328	661	411	162
Austin (7)	178	177	411	103	274
San Antonio (8)	113	99	267	124	119
Midland (9)	18	31	43	12	28
El Paso (10)	45	44	47	27	15
Edinburg (11)	189	180	116	64	34
Unknown	0	0	0	0	0
State Total	1,418	1,313	2,836	1,155	1,413

Licensing of Residential (24-Hour) Operations by Region Fiscal Year 2005

Region	Applications Accepted	Initial Permits Issued (New)
Lubbock (1)	2	2
Abilene (2)	1	1
Arlington (3)	23	12
Tyler (4)	2	2
Beaumont (5)	0	1
Houston (6)	32	30
Austin (7)	15	13
San Antonio (8)	15	14
Midland (9)	1	1
El Paso (10)	1	1
Edinburg (11)	0	1
State Total	92	78

Adverse Actions in Residential (24-Hour) Operations by Region Fiscal Year 2005

Region	Permits Denied	Permits Revoked	Permits Suspended	Total Adverse Actions
Lubbock (1)	0	0	1	1
Abilene (2)	0	0	0	0
Arlington (3)	0	0	0	0
Tyler (4)	0	0	0	0
Beaumont (5)	0	0	0	0
Houston (6)	1	2	2	5
Austin (7)	1	0	0	1
San Antonio (8)	0	0	1	1
Midland (9)	0	0	0	0
El Paso (10)	0	0	0	0
Edinburg (11)	0	1	0	1
State Total	2	3	4	9

Note: There were no Legal Injunctions during the fiscal year.

Corrective Actions in Residential (24-Hour) Operations by Region Fiscal Year 2005

Region	Evaluation	Probation	Total Corrective Actions
Lubbock (1)	0	0	0
Abilene (2)	0	0	0
Arlington (3)	0	0	0
Tyler (4)	1	0	1
Beaumont (5)	0	0	0
Houston (6)	6	0	6
Austin (7)	0	0	0
San Antonio (8)	2	0	2
Midland (9)	0	0	0
El Paso (10)	0	0	0
Edinburg (11)	1	0	1
State Total	10	0	10

Background Checks by Operation Type Fiscal Year 2005

Operation Type	Central Registry Checks	DPS Checks	FBI Checks
Agency Home	10	10	0
Child-Placing Agency	28,307	28,307	784
Emergency Shelter	3,478	3,477	12
Independent Foster Family Home	94	94	8
Independent Foster Group Home	21	21	0
Independent Habilitative Foster Family Home	16	16	0
Independent Therapeutic Foster Family Home	33	33	0
Independent Therapeutic Foster Group Home	142	142	0
Operations Providing Basic Childcare	4,665	4,665	101
Operations Serving Mentally Retarded Children	317	317	0
Licensed Child-Care Center	126,488	126,479	335
Licensed Child-Care Home	3,607	3,607	7
Listed Family Home	4,079	4,077	2
Maternity Home	162	162	0
Registered Child-Care Home	10,247	10,247	27
Residential Treatment Center	6,730	6,730	38
Therapeutic Camp	247	247	3
Total	188,643	188,631	1,317

Note : Does not include illegal operations or main chains