

DCL

Child 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.

Total Average Filled Full Time Equivalent (FTE) Staff

Caseworkers	250.0
Supervisors	35.7
Other Staff	121.2
Total CCL Staff	406.9

Worker Demographics

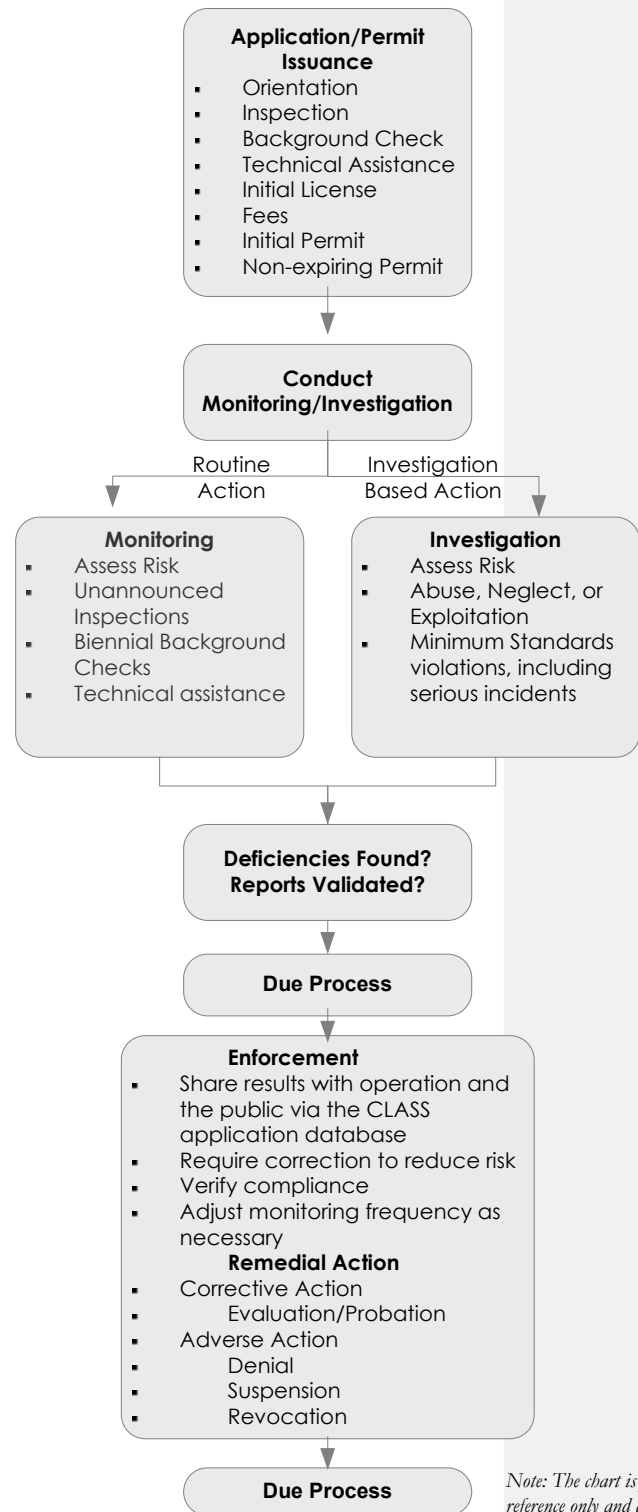
Turnover Rate	19.8%
Agency Tenure:	
Less Than 1 Year	13.9%
1 - 3 Years	15.5%
Greater than 3 Years	70.6%
Entry Salary (Inv)	\$31,728.96
Entry Salary (Non-Inv)	\$28,239.00
Average Age	40.6
Race/Ethnicity:	
African-American	28.6%
Anglo	40.8%
Hispanic	24.4%
Other	6.3%

Supervisor Demographics

Turnover Rate	13.7%
Tenure as Supervisor:	
Less Than 1 Year	11.8%
1 - 3 Years	11.8%
Greater than 3 Years	76.5%
Entry Salary	\$38,145.96
Average Age	48.1
Race/Ethnicity:	
African-American	29.4%
Anglo	47.1%
Hispanic	23.5%
Other	0.0%

DCL Expenditures

DCL Staff	\$24,021,247
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Note: The chart is for reference only and does not necessarily represent the flow of a case.

Statistics FY 2013

Daycare Operations/Homes	21,980
Capacity	1,085,366
Abuse/Neglect Investigations	1,669
Non-Abuse/Neglect Investigations	16,760
Inspections	37,128
Adverse Actions	26

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:

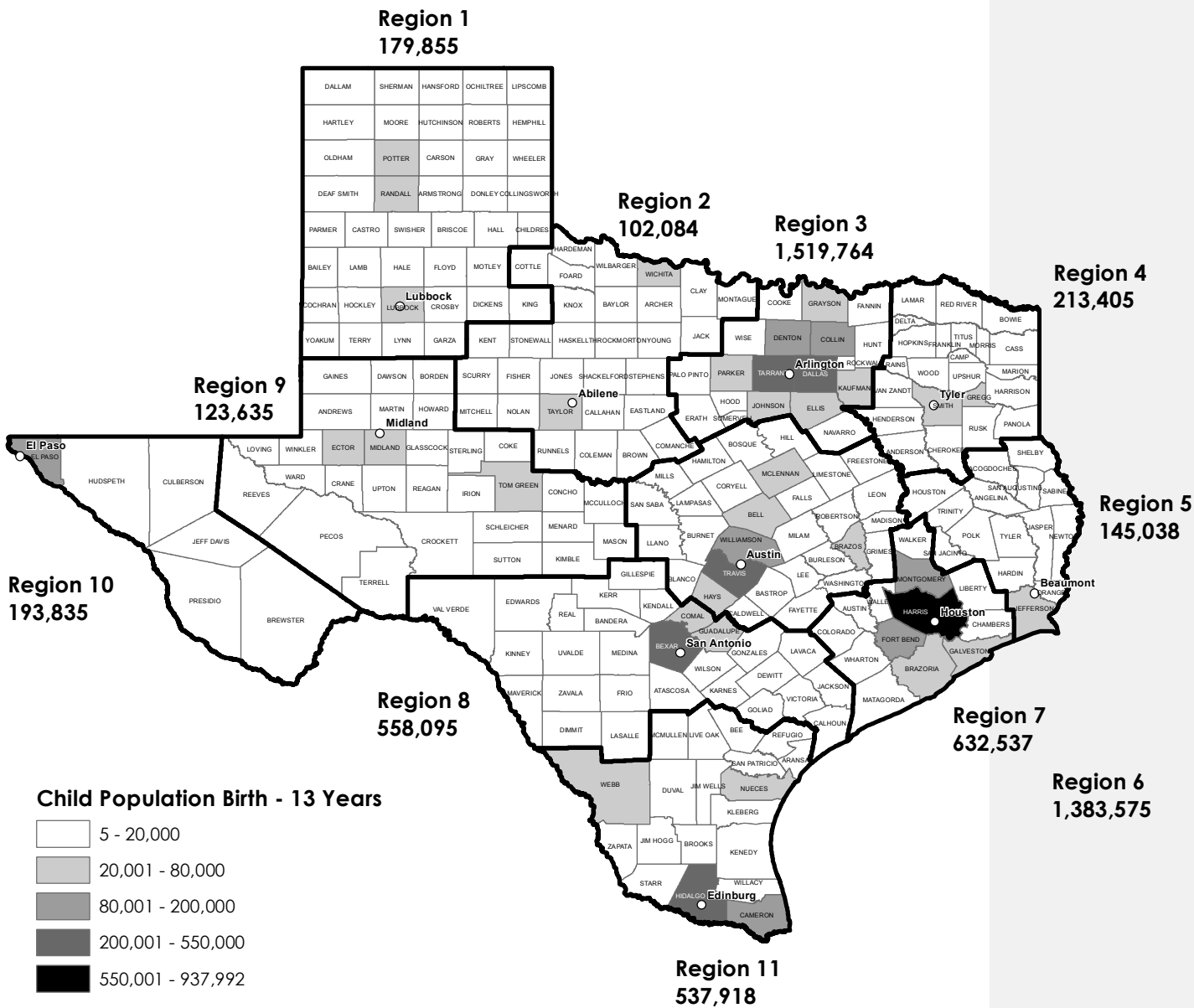
- Develop minimum standards to promote the health, safety, and well-being of children in out-of-home care.
- Inspect child-care operations to ensure they maintain compliance with minimum standards.
- Investigate allegations of abuse/neglect, investigate violations of standards or the law and ensure appropriate enforcement actions are taken.
- Conduct criminal background checks and DFPS Central Registry checks on all adult staff or caregivers, other adults and youth ages 14 to 18 who will be in regular or frequent contact with children in child-care operations.
- Take corrective and adverse actions when necessary.
- Offer consultation to potential applicants and permit holders about meeting and maintaining compliance with Licensing standards.
- Educate the general public about choosing regulated child-care and inform them of the child-care options in Texas through media campaigns and by maintaining an online database of child-care providers, including information regarding each operation's compliance history.
- Enforce regulatory requirements for all child-care providers, including illegally operating child-care providers.

Other Programmatic Information: Challenges

- Consistently enforcing adherence to minimum standards across the state.
- Developing cooperative, professional, and effective relationships with child-care operations resulting in increased compliance and stronger protection for children.
- Providing technical assistance to all child care operations, especially focusing on those struggling to maintain compliance with standards.
- Providing thorough, efficient and timely background check results to over a quarter of a million people each year seeking to work in child care, provide foster care or adopt a child.
- Maximizing technology resources to improve the efficiency and effectiveness of regulatory practices and allow licensing staff to become an increasingly mobile workforce.
- Creating standards that protect the health and safety of children in care without impacting the affordability and availability of that care.

**Texas Child Population
Ages Birth through 13 Years
Fiscal Year 2013**

State Total: 5,589,741



Population Data Source: Texas State Data Center, University of Texas (San Antonio). Based on Census 2010 data.

Child Day Care Operations in Texas on August 31, 2013

Year	Licensed Child Care Centers	Licensed Child Care Homes	Registered Child Care Homes	Listed Family Homes	Small Employer Based Child Care	Temporary Shelter	Total Day Care Operations
2009	9,342	1,617	6,700	7,305	1	0	24,965
2010	9,436	1,684	6,537	7,589	4	0	25,250
2011	9,517	1,743	6,302	7,477	4	2	25,045
2012	9,595	1,774	5,837	6,774	6	6	23,992
2013	9,533	1,756	5,266	5,411	6	8	21,980

Note: Counts do not include Applicants. Beginning 9/1/2011, Temporary Shelters were no longer a licensed operation. Temporary Shelter Programs are issued a Certificate of Compliance.

Child Day Care Operations in Texas on August 31, 2013

Day Care Licensing Operation Type	2012		2013	
	Count	Capacity	Count	Capacity
Licensed Child Care Centers				
Before/After School Program	728	53,088	721	54,527
Child Care Program	8,104	854,572	7,976	856,362
School Age Program	756	67,400	835	75,331
No Care Type	7	502	1	22
Subtotal	9,595	975,562	9,533	986,242
Day Care Licensing Operation Type				
Licensed Child Care Homes	1,774	21,147	1,756	20,969
Registered Child Care Homes	5,837	68,126	5,266	61,488
Listed Family Homes	6,774	12,831	5,411	16,226
Small Employer Based Child Care	6	72	6	72
Temporary Shelter	6	306	8	369
Total Child Day Care Operations	23,992	1,078,044	21,980	1,085,366

Note: Beginning 9/1/2011, Temporary Shelter Programs were no longer a licensed child care center. Temporary Shelter Programs are issued a Certificate of Compliance.

The operations without a "Care Type" are operations that were placed on adverse action prior to 9/1/2010. While in the adverse action, a new permit is not being issued for the specified care type.

Regional Count of Child Day Care Operations by Fiscal Year

Fiscal Year 2012

Region	Licensed Centers	Licensed Homes	Registered Homes	Listed Family Homes	Small Employer Based Child Care	Temporary Shelter Program
1 Lubbock	291	75	155	314	0	0
2 Abilene	213	60	142	140	0	0
3 Arlington	2,390	505	1,935	2,101	3	0
4 Tyler	345	67	85	337	0	1
5 Beaumont	217	28	57	82	0	0
6 Houston	2,349	270	1,910	1,323	0	5
7 Austin	1,342	254	583	944	1	0
8 San Antonio	908	113	560	447	2	0
9 Midland	221	43	44	186	0	0
10 El Paso	285	148	96	368	0	0
11 Edinburg	1,034	211	270	532	0	0
Unknown/ Out of State	0	0	0	0	0	0
Total	9,595	1,774	5,837	6,774	6	6

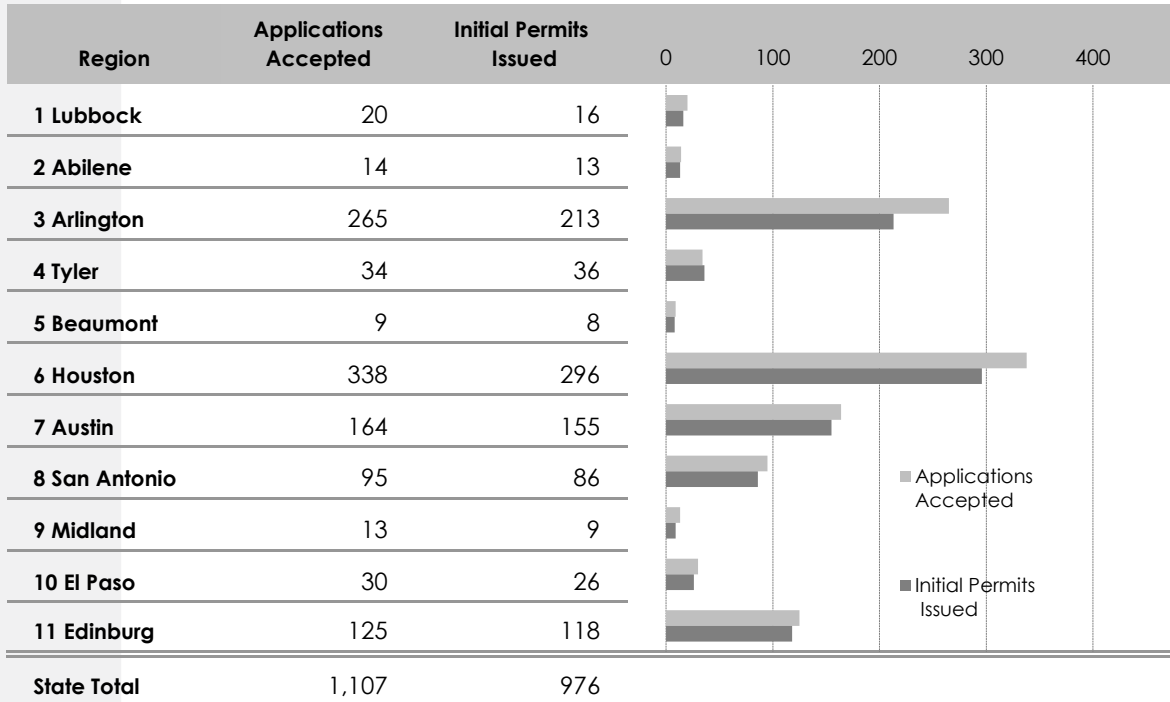
Fiscal Year 2013

Region	Licensed Centers	Licensed Homes	Registered Homes	Listed Family Homes	Small Employer Based Child Care	Temporary Shelter Program
1 Lubbock	287	68	137	242	0	0
2 Abilene	212	57	127	123	0	0
3 Arlington	2,371	498	1,717	1,782	3	0
4 Tyler	335	59	63	203	0	1
5 Beaumont	212	30	55	57	0	0
6 Houston	2,380	280	1,785	1,069	0	6
7 Austin	1,346	271	507	736	1	0
8 San Antonio	862	112	489	381	2	0
9 Midland	217	41	53	120	0	0
10 El Paso	273	135	82	281	0	1
11 Edinburg	1,038	205	251	417	0	0
Unknown/ Out of State	0	0	0	0	0	0
Total	9,533	1,756	5,266	5,411	6	8

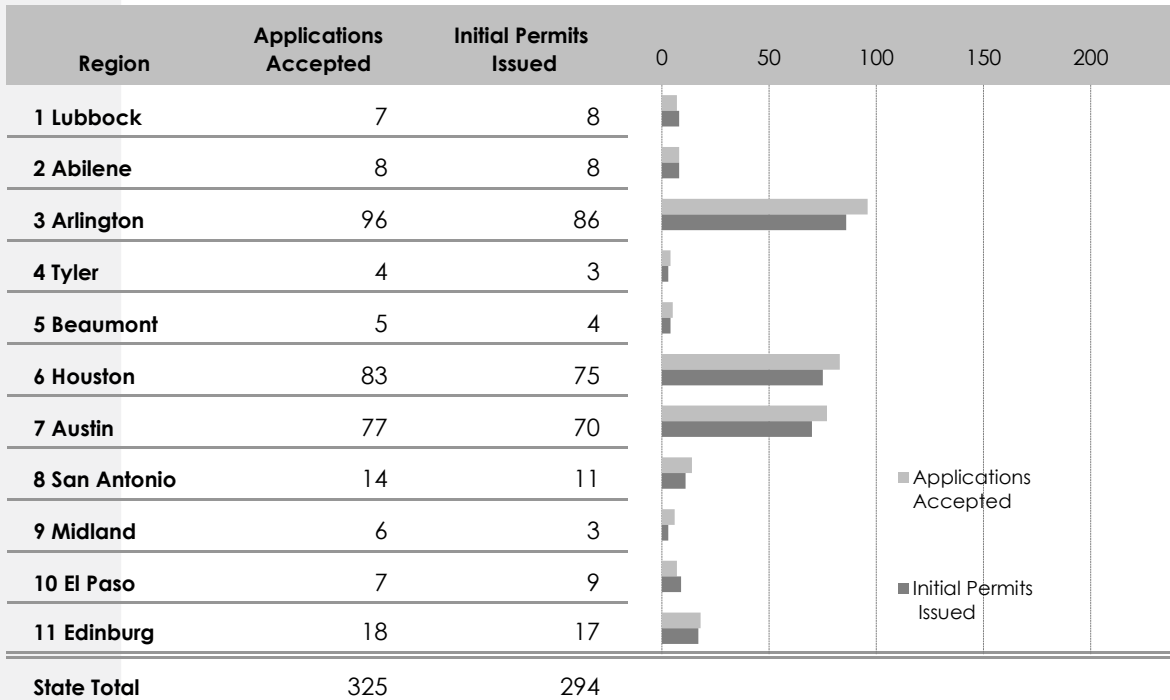
Note: As of 9/1/2011, Temporary Shelter Programs are no longer a licensed center. Temporary Shelter Care Programs are Issued a Certificate of Compliance.

Licensing of Child Day Care Operations by Region Fiscal Year 2013

Licensed Child Care Centers

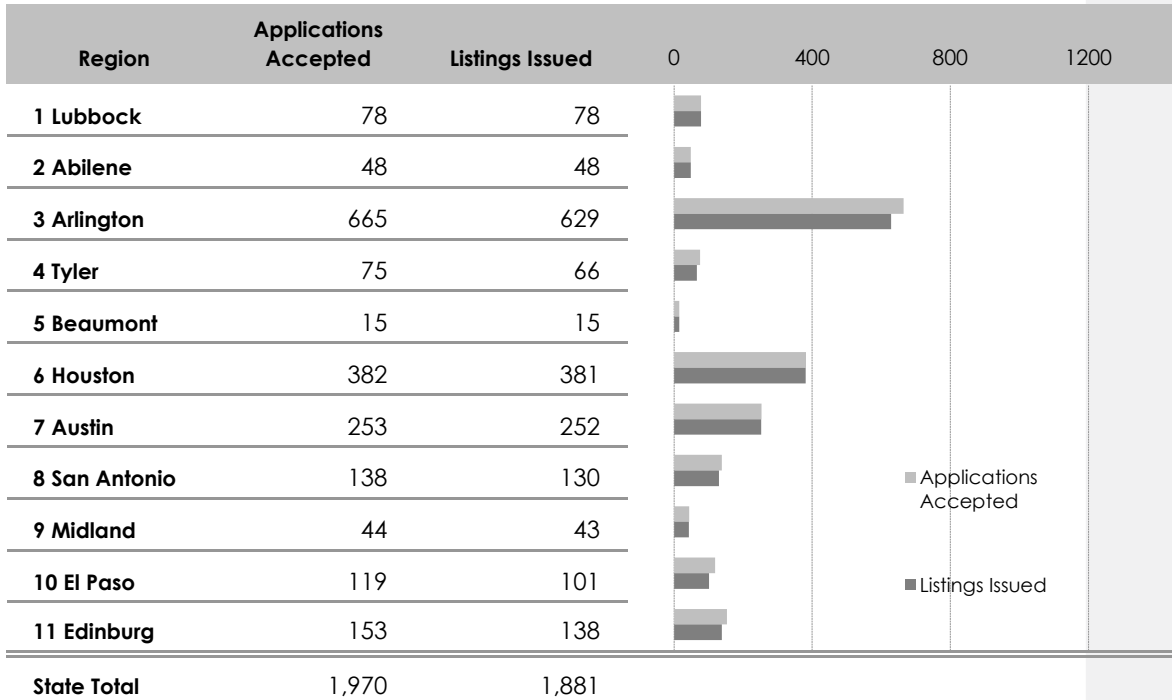


Licensed Child Care Homes

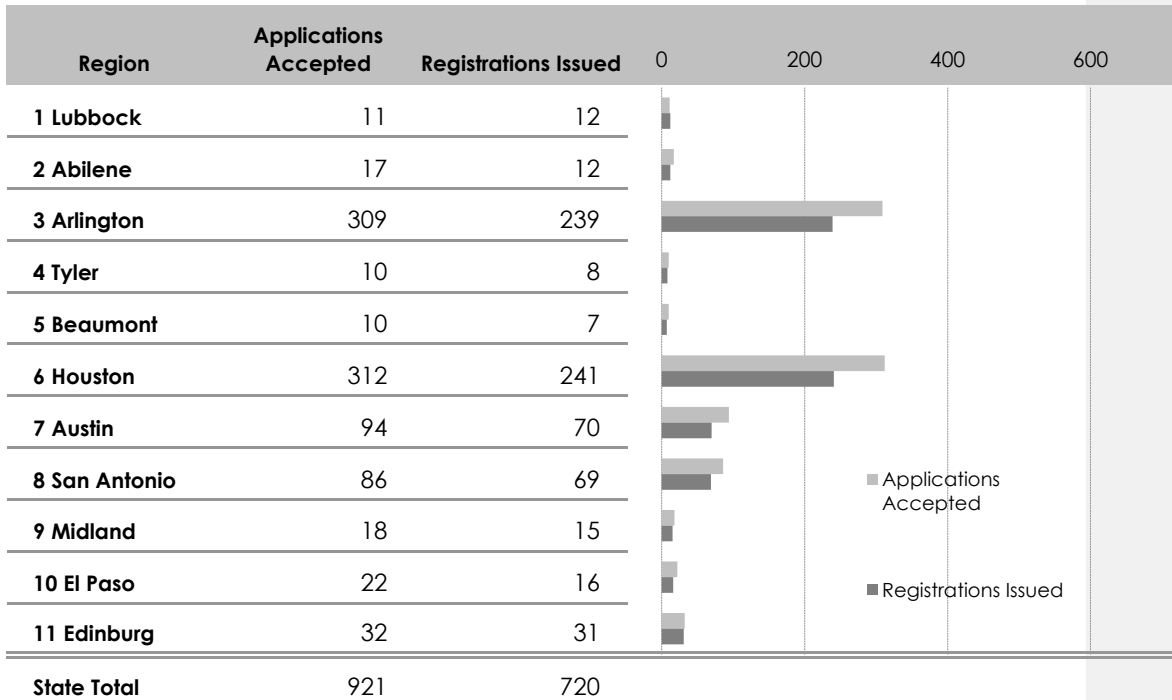


Licensing of Child Day Care Operations by Region Fiscal Year 2013

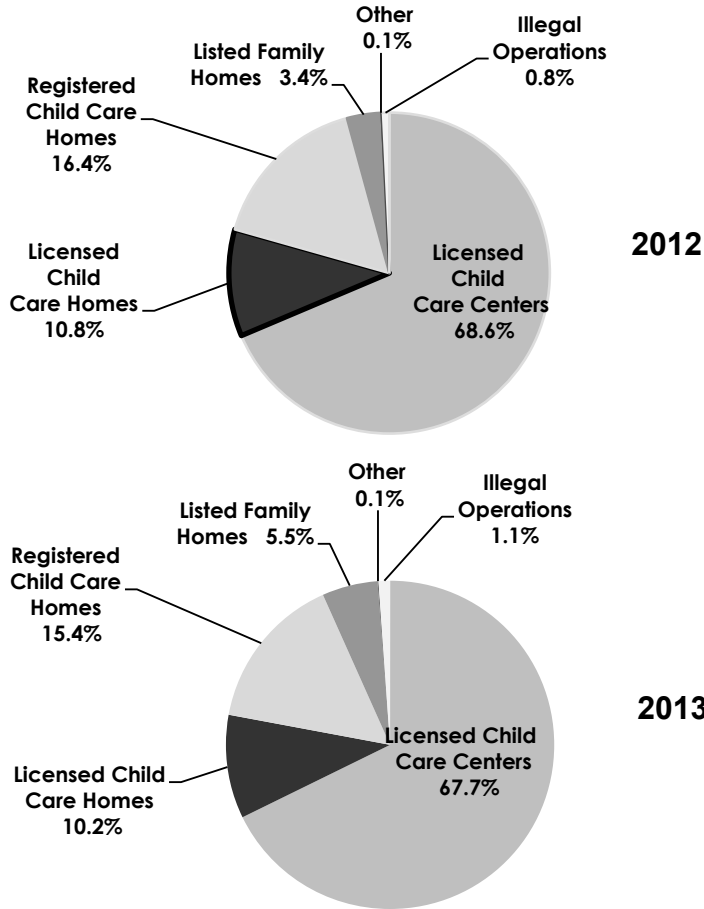
Listed Family Homes



Registered Child Care Homes



Inspections* by Operation Type



Operation Type	2012			2013		
	Operations ¹	Inspections	% of Total Inspections	Operations ¹	Inspections	% of Total Inspections
Licensed Child Care Centers	10,514	24,538	68.6%	10,855	25,149	67.7%
Licensed Child Care Homes	2,078	3,849	10.8%	2,419	3,790	10.2%
Registered Child Care Homes	7,032	5,846	16.4%	7,376	5,702	15.4%
Listed Family Homes	9,368	1,200	3.4%	9,297	2,037	5.5%
Small Employer Based Child Care	7	3	0.0%	10	1	0.0%
Temporary Shelter Programs	0	0	0.0%	9	8	0.0%
Exemption Requests	804	49	0.1%	668	22	0.1%
Illegal Operations	1,739	270	0.8%	1,757	419	1.1%
Total²	31,392	35,755	100.0%	32,131	37,128	100.0%

*Beginning in FY12 the LBB Performance Measure definition of Inspections does not include Inspections completed as part of an Investigation. The inspection counts are based on the operation type at the time of the inspection.

Inspections to Exemption Requests are conducted to access the program to determine if it is exempt from Licensing's regulation.

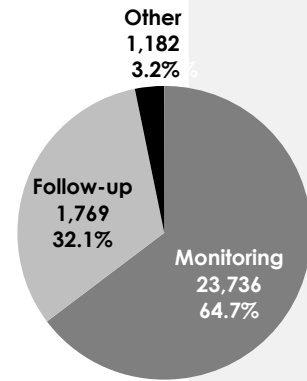
¹ Operations that are open any time during the fiscal year. Operations may have multiple inspections.

² Beginning FY 2013, Total Number of Operations During Year counts unique operations only. Some operations are counted more than once due to Facility Type changes during the Fiscal Year.

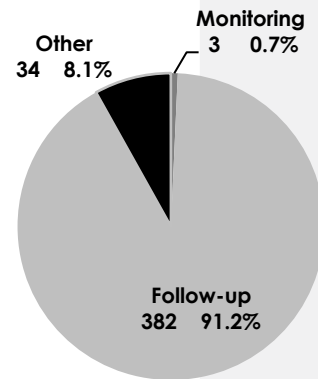
Inspections in Child Day Care Operations by Type of Inspection Fiscal Year 2013

Total Inspections: 37,128

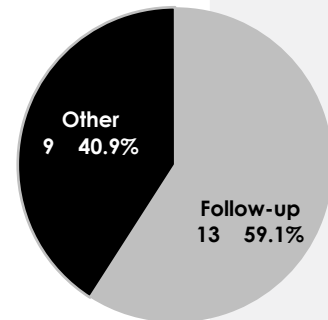
Child Day Care Operations	
Inspection Type	Number
Monitoring	23,736
Follow-up	11,769
Other	1,182
Total	36,687



Illegal Operations	
Inspection Type	Number
Monitoring	3
Follow-up	382
Other	34
Total	419



Exemption Requests	
Inspection Type	Number
Monitoring	0
Follow-up	13
Other	9
Total	22



**Beginning in FY12 the LBB Performance Measure definition of Inspections does not include Inspections completed as part of an Investigation. The inspection counts are based on the operation type at the time of the inspection. Inspections to Exemption Requests are conducted to assess the program to determine if it is exempt from Licensing's regulation.*

Investigations in Child Day Care Operations

Day Care Licensing Operations Type	2009	2010	2011	2012	2013
Licensed Child Care Centers	10,811	11,469	12,395	11,136	12,586
Licensed Child Care Homes	419	557	675	473	718
Registered Child Care Homes	1,353	1,874	1,856	992	1,836
Listed Family Homes	819	685	520	526	2,347
Small Employer Based Child Care	1	1	2	0	2
Temporary Shelter Programs	0	0	0	0	2
Illegal Operations and Exemptions	1,219	1,022	977	987	1,125
Total	14,622	15,608	16,425	14,114	18,616

Investigations in Child Day Care Operations Fiscal Year 2013

Region	Licensed Child Care Centers*	Licensed Child Care Homes	Registered Child Care Homes	Listed Family Homes	Small Employer Based Child Care	Temporary Shelter Programs	Illegal Operations and Exemptions	Day Care Total
1 Lubbock	546	35	96	165	0	0	59	901
2 Abilene	276	20	75	78	0	0	40	489
3 Arlington	3,673	255	769	1,063	1	0	327	6,088
4 Tyler	404	15	14	55	0	0	58	546
5 Beaumont	220	5	13	7	0	0	22	267
6 Houston	2,330	89	294	219	0	2	222	3,156
7 Austin	1,868	117	243	320	1	0	185	2,734
8 San Antonio	1,495	41	184	118	0	0	105	1,943
9 Midland	343	21	26	94	0	0	31	515
10 El Paso	292	38	21	101	0	0	24	476
11 Edinburg	1,139	82	101	127	0	0	46	1,495
Other/Unknown	0	0	0	0	0	0	6	6
Total	12,586	718	1,836	2,347	2	2	1,125	18,616

Non-Abuse/Neglect Investigations in Child Day Care Operations Fiscal Year 2013

Operation Type	Operations ¹		Non-Abuse/Neglect Investigations ²	
	Count	With a Non-A/N Investigation	Completed	With at Least 1 Deficiency Cited ²
Child Day Care Operations				
Licensed Child Care Centers	10,855	5,387	11,408	3,030
Licensed Child Care Homes	2,419	517	663	67
Registered Homes	7,376	1,388	1,725	128
Listed Homes	9,297	1,699	2,299	36
Small Employer Based Child Care	10	2	2	0
Temporary Shelter Care	9	1	2	0
Subtotal	29,966	8,994	16,099	3,261
Other				
Illegal Operations ³ and Exemption Requests	2,425	653	661	305
Total⁴	32,131	9,568	16,760	3,566

Abuse/Neglect Investigations in Child Day Care Operations Fiscal Year 2013

Operation Type	Operations ¹		Abuse/Neglect Investigations			
	Count	With a Closed A/N Investigation	Closed	Validated	% Validated	With at Least 1 Deficiency Cited ²
Child Day Care Operations						
Licensed Child Care Centers	10,855	984	1,155	153	13.2%	642
Licensed Child Care Homes	2,419	55	56	9	16.1%	33
Registered Homes	7,376	102	110	18	16.4%	64
Listed Homes	9,297	46	48	13	27.1%	27
Small Employer Based Child Care	10	0	0	0	0.0%	0
Temporary Shelter Care	9	0	0	0	0.0%	0
Subtotal	29,966	1,187	1,369	193	14.1%	766
Other						
Illegal Operations ³ and Exemption Requests	2,425	298	300	81	27.0%	259
Total⁴	32,131	1,484	1,669	274	16.4%	1,025

¹ Operations that are open any time during the fiscal year. Operations may have multiple investigations.

² The deficiencies are related to the investigation allegations.

³ The number of illegal operation investigations is calculated using the operation's application date that is after the date of the intake.

⁴ Beginning FY 2013, Subtotal and Total Number of Operations During Year counts unique operations only. Some operations are counted more than once due to Facility Type changes during the Fiscal Year.

Note: The number of Investigations will not match the totals for the Abuse/Neglect Investigations and the totals for the Non-Abuse/Neglect Investigations because the count of the numbers is collected from different stages. Exemption requests are submitted to Licensing to determine if their operation is subject to regulation.

Illegal Operations Identified and Resolution Fiscal Year 2013

Region	Illegal Operations Identified*	Resolutions**			Illegal Operations Open-Pending Resolution
		Not Subject/Exempt	Permit Issued	Voluntary Closures	
1 Lubbock	72	22	13	4	26
2 Abilene	47	21	10	9	13
3 Arlington	496	137	54	52	149
4 Tyler	72	32	5	8	19
5 Beaumont	32	12	4	7	9
6 Houston	291	95	14	31	80
7 Austin	257	101	30	21	67
8 San Antonio	184	73	13	18	67
9 Midland	44	18	4	9	15
10 El Paso	37	14	2	1	6
11 Edinburg	77	43	7	4	15
Unknown	148	73	0	13	4
Total	1,757	641	156	177	470

*Includes illegal operations identified prior to FY 2013, but not yet resolved.

**Excludes other resolutions such as administrative closures and pending applications.

**Adverse Actions and Corrective Actions Initiated in Child Day Care Operations by Region
Fiscal Year 2013**

Licensed Child Care Centers							
Region	Adverse Actions				Corrective Actions		
	Permits Denied	Permits Revoked	Permits Suspended	Total	Evaluation	Probation	Total
1 Lubbock	0	0	0	0	3	0	3
2 Abilene	0	0	0	0	3	1	4
3 Arlington	0	4	0	4	12	5	17
4 Tyler	0	2	0	2	3	0	3
5 Beaumont	0	0	0	0	2	0	2
6 Houston	7	6	0	13	32	9	41
7 Austin	2	1	0	3	14	3	17
8 San Antonio	6	2	0	8	14	13	27
9 Midland	0	0	0	0	4	1	5
10 El Paso	0	0	0	0	1	5	6
11 Edinburg	1	2	0	3	10	7	17
State Total	16	17	0	33	98	44	142

Licensed Child Care Homes							
Region	Adverse Actions				Corrective Actions		
	Permits Denied	Permits Revoked	Permits Suspended	Total	Evaluation	Probation	Total
1 Lubbock	0	0	0	0	0	0	0
2 Abilene	0	0	0	0	0	0	0
3 Arlington	0	1	0	1	1	0	1
4 Tyler	0	0	0	0	0	0	0
5 Beaumont	0	0	0	0	0	0	0
6 Houston	0	1	0	1	1	0	1
7 Austin	2	1	0	3	0	0	0
8 San Antonio	0	0	0	0	0	0	0
9 Midland	0	0	0	0	0	0	0
10 El Paso	0	0	0	0	0	0	0
11 Edinburg	0	0	0	0	1	0	1
State Total	2	3	0	5	3	0	3

Note: Adverse actions are counted the date the permit holder was notified after the first phase of the due process when the decision was upheld or waived. Voluntary Suspensions are excluded from the count of suspensions. Corrective Actions are counted when the due process is completed. See definition of adverse actions and corrective actions in the definition section.

Adverse Actions and Corrective Actions Initiated in Child Day Care Operations by Region Fiscal Year 2013

Region	Listed Family Homes			
	Adverse Actions			
	Permits Denied	Permits Revoked	Permits Suspended	Total
1 Lubbock	3	1	0	4
2 Abilene	1	0	0	1
3 Arlington	4	3	0	7
4 Tyler	1	0	0	1
5 Beaumont	0	0	0	0
6 Houston	5	2	0	7
7 Austin	2	1	0	3
8 San Antonio	4	1	0	5
9 Midland	1	0	0	1
10 El Paso	6	0	0	6
11 Edinburg	6	0	0	6
State Total	33	8	0	41

Note: Beginning in FY12, due to a statutory change, suspensions related to Listed Family Homes that did not pay fees are no longer considered to be Adverse Actions.

Region	Registered Child Care Homes						
	Adverse Actions				Corrective Actions		
	Permits Denied	Permits Revoked	Permits Suspended	Total	Evaluation	Probation	Total
1 Lubbock	0	0	0	0	0	0	0
2 Abilene	0	2	0	2	0	1	1
3 Arlington	0	6	0	6	2	2	4
4 Tyler	0	0	0	0	0	0	0
5 Beaumont	0	0	0	0	0	0	0
6 Houston	0	3	0	3	2	2	4
7 Austin	3	6	0	9	1	0	1
8 San Antonio	0	2	1	3	0	0	0
9 Midland	1	0	0	1	0	0	0
10 El Paso	1	0	0	1	0	0	0
11 Edinburg	1	1	0	2	0	2	2
State Total	6	20	1	27	5	7	12

	Child Day Care Operations						
	Adverse Actions				Corrective Actions		
Grand Total	57	48	1	106	106	51	157

Note: Adverse actions are counted the date the permit holder was notified after the first phase of the due process when the decision was upheld or waived. Voluntary Suspensions are excluded from the count of suspensions. Corrective Actions are counted when the due process is completed. See the definition of adverse actions and corrective actions in the definition section.

Background Checks for Day Care Licensing Child Care Operations Fiscal Year 2013

Operation Type	Central Registry Checks	DPS Checks	FBI Checks *
Day Care Licensing			
Licensed Child Care Center	201,113	201,116	168,717
Licensed Child Care Home	5,005	5,004	779
Registered Child Care Home	10,381	10,380	1,188
Listed Family Home	7,395	7,398	698
Small Employer Based Child Care	16	16	14
Temporary Shelter Programs	130	130	65
Total	224,040	224,044	171,461

* Effective FY 2013, this represents the number of FBI checks that were processed according to statutory requirements.

Note: Does not include background checks conducted on individuals in an illegal child-care operation or exemption request. Review the definition section for details on who is required to have Central Registry, DPS and FBI checks.

State's Top 10 Standards Deficiencies for Child Day Care Operations

Fiscal Year 2012

Rank	Standard Rule*	Description	Deficiencies	% of Total Deficiencies
1	745.625(7)	Background checks submitted - Every 24 months after each person's background check was first submitted	1,893	2.1
2	745.615(a)(2)	Required background checks - each person employed	1,642	1.8
3	746.1203(4)	Responsibilities of Caregivers- Supervision of Children	1,409	1.6
4	746.3701	Safety - Areas Free From Hazards	1,295	1.4
5	745.615(b)(2)	Required FBI check -Persons at child care center, before/after-school, or school-age program required to have name-based check unless only meet (a)(7)	1,246	1.4
6	746.3407	Maintenance of Building, Grounds and Equipment	1,184	1.3
7	746.1201(1)	Responsibilities of Employees and Caregivers -Demonstrate Competency, Good Judgment, Self-control	1,064	1.2
8	746.5101(a)	Annual Fire Inspection - Before Initial Permit Issued and Every 12 Months	1,032	1.1
9	747.3501	Safety - Areas Free From Hazards	921	1.0
10	747.501(10)	Written Operational Policies- Emergency Preparedness Plan	842	0.9

Fiscal Year 2013

Rank	Standard Rule*	Description	Deficiencies	% of Total Deficiencies
1	745.625(7)	Background checks submitted - Every 24 months after each person's background check was first submitted	1,969	2.2
2	745.615(a)(2)	Required background checks - each person employed	1,697	1.9
3	746.1203(4)	Responsibilities of Caregivers- Supervision of Children	1,528	1.7
4	746.3701	Safety - Areas Free From Hazards	1,375	1.5
5	745.615(b)(2)	Required FBI check -Persons at child care center, before/after-school, or school-age program required to have name-based check unless only meet (a)(7)	1,304	1.5
6	746.3407	Maintenance of Building, Grounds and Equipment	1,242	1.4
7	746.1201(1)	Responsibilities of Employees and Caregivers -Demonstrate Competency, Good Judgment, Self-control	1,105	1.2
8	746.5101(a)	Annual Fire Inspection - Before Initial Permit Issued and Every 12 Months	1,011	1.1
9	746.1601	Child/ Caregiver Ratio - 13 or More Children	937	1.0
10	747.3501	Safety - Areas Free From Hazards	845	0.9

* Only includes deficiencies where administrative review was upheld or waived.

Note: Includes inspection, investigation, and assessment deficiencies.