

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	262.7
Supervisors	36.3
Other Staff	125.0
Total CCL Staff	424.0

Worker Demographics

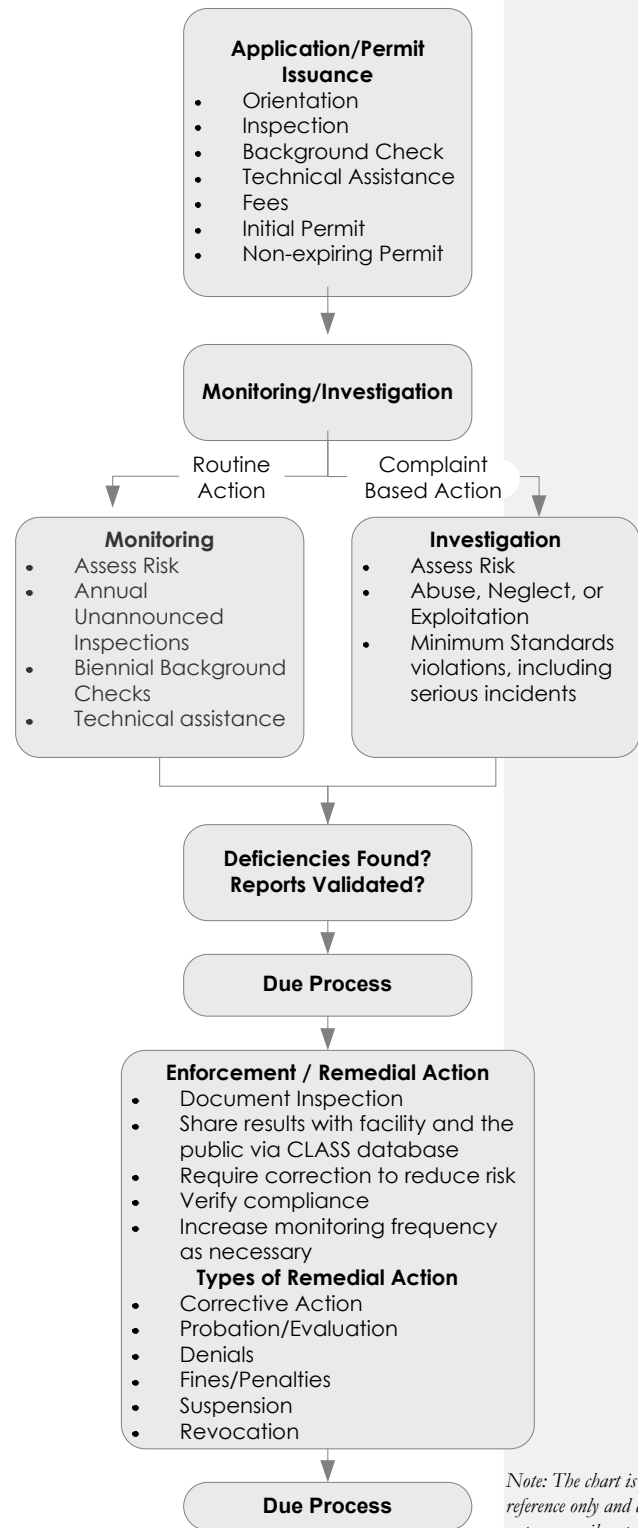
Turnover Rate	11.8%
Agency Tenure:	
Less Than 1 Year	10.0%
1 - 3 Years	20.3%
Greater than 3 Years	69.7%
Entry Salary (Inv)	\$32,273.16
Entry Salary (Non-Inv)	\$29,145.96
Average Age	40.4
Race/Ethnicity:	
African-American	25.3%
Anglo	47.5%
Hispanic	22.6%
Other	4.6%

Supervisor Demographics

Turnover Rate	0.0%
Agency Tenure:	
Less Than 1 Year	0.0%
1 - 3 Years	2.7%
Greater than 3 Years	97.3%
Entry Salary	\$39,117.96
Average Age	47.8
Race/Ethnicity:	
African-American	21.6%
Anglo	51.4%
Hispanic	27.0%
Other	0.0%

DCL Expenditures

DCL Staff	\$25,184,767
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Note: The chart is for reference only and does not necessarily represent the flow of a case.

Statistics FY 2011

Daycare Operations/Homes	25,045
Capacity	1,073,882
Abuse/Neglect Investigations	2,062
Non-Abuse/Neglect Investigations	14,275
Inspections	49,650
Adverse Actions	942

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:

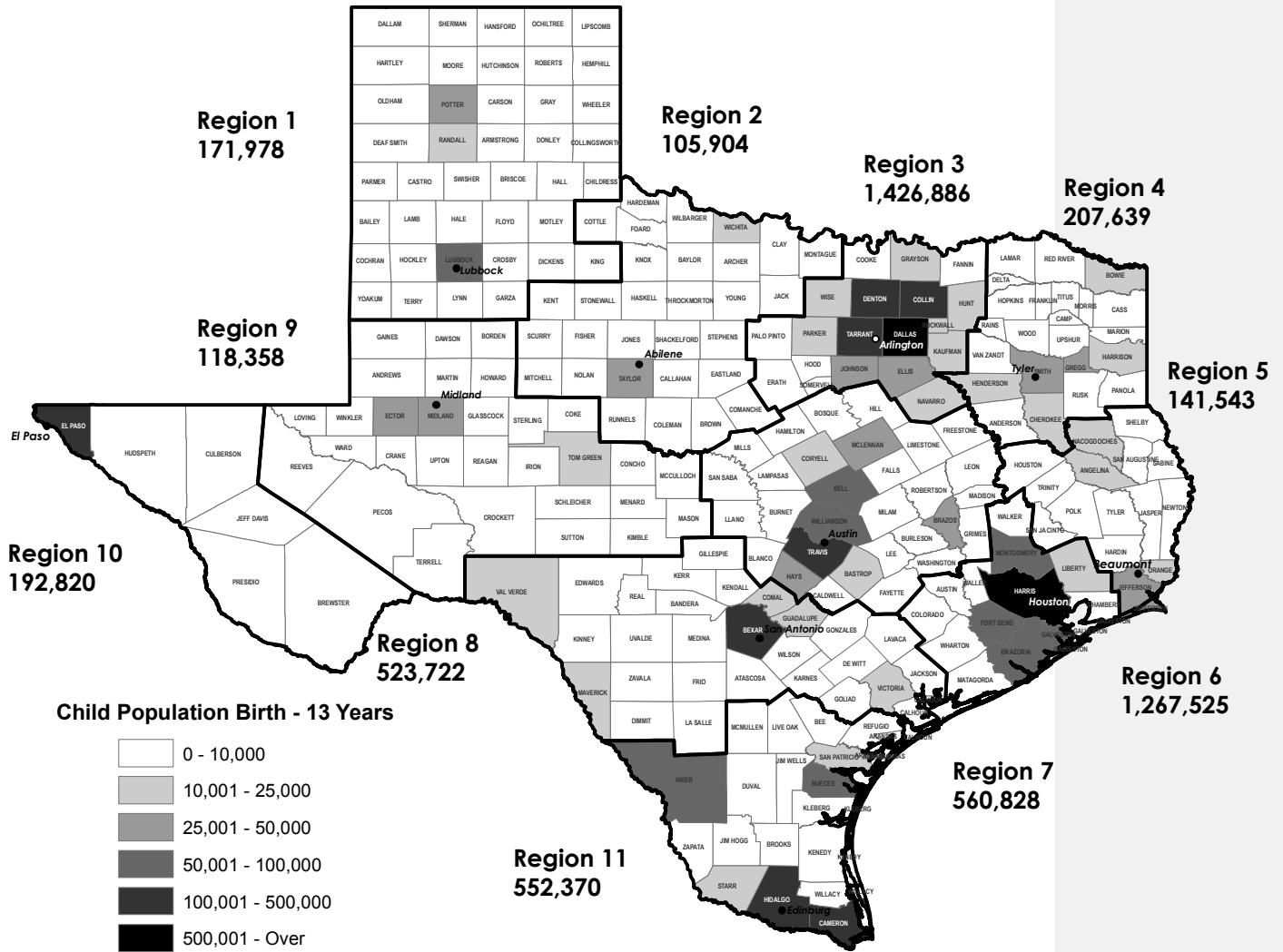
- Develop minimum standards to promote the health, safety, and well being of children in out-of-home care.
- Inspect child-care operations to ensure they maintain compliance with minimum standards.
- Investigate allegations of abuse/neglect, investigate violations of standards or the law and ensure appropriate 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 2011**

State Total: 5,269,573



Population Data Source: Texas State Data Center, University of Texas (San Antonio). Based on Census 2000 data.

Child Day Care Operations in Texas as of August 31

Year	Licensed Child Care Centers	Licensed Child Care Homes	Listed Family Homes	Registered Child Care Homes	Small Employer Based Child Care	Total Day Care Operations
2007	9,319	1,536	3,900	7,214	0	21,969
2008	9,309	1,564	8,257	6,895	1	26,026
2009	9,342	1,617	7,305	6,700	1	24,965
2010	9,436	1,684	7,589	6,537	4	25,250
2011	9,519	1,743	7,477	6,302	4	25,045

Note: Counts do not include Applicants

Child Day Care Operations in Texas as of August 31

Day Care Licensing Operation Type	2010		2011	
	Count	Capacity	Count	Capacity
Licensed Child Care Centers				
Before/After School Program			696	49,675
Child Care Program			8,019	844,572
School Age Program			733	64,463
Temporary Shelter Program			2	125
No Care Type			69	6,883
Subtotal	9,436	942,839	9,519	965,718
Licensed Child Care Homes				
Licensed Child Care Homes	1,684	19,954	1,743	20,771
Listed Family Homes	7,589	18,563	7,477	14,124
Registered Child Care Homes	6,537	75,949	6,302	73,221
Small Employer Based Child Care	4	48	4	48
Total Child Day Care Operations	25,250	1,057,353	25,045	1,073,882

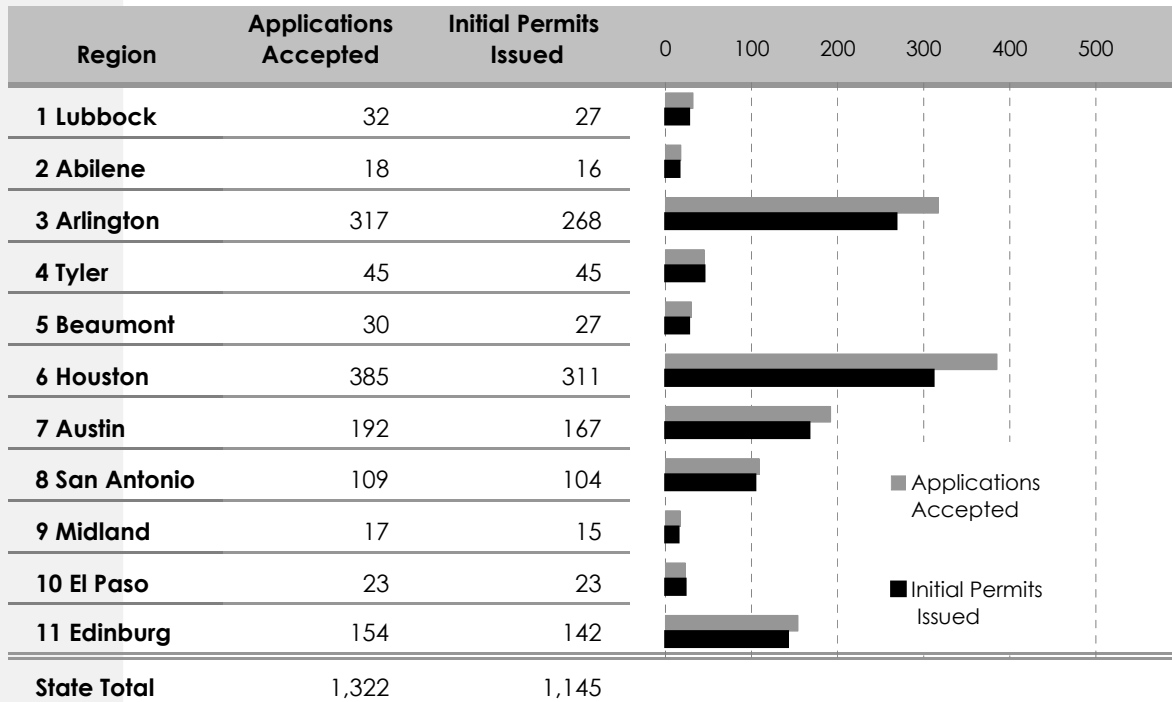
Child Day Care Operations and Homes Regulated by Fiscal Year

Region	Licensed Child Care Centers		Licensed Child Care Homes		Listed Family Homes	
	2010	2011	2010	2011	2010	2011
1 Lubbock	302	299	67	69	378	422
2 Abilene	224	218	65	66	201	177
3 Arlington	2,299	2,355	435	473	2,137	2,204
4 Tyler	366	355	71	68	423	386
5 Beaumont	215	219	30	28	84	86
6 Houston	2,315	2,326	238	255	1,453	1,481
7 Austin	1,325	1,337	233	242	890	880
8 San Antonio	923	917	117	115	684	632
9 Midland	214	214	51	48	267	239
10 El Paso	287	283	149	148	334	399
11 Edinburg	966	996	228	231	738	571
Unknown/ Out of State	0	0	0	0	0	0
Total	9,436	9,519	1,684	1,743	7,589	7,477

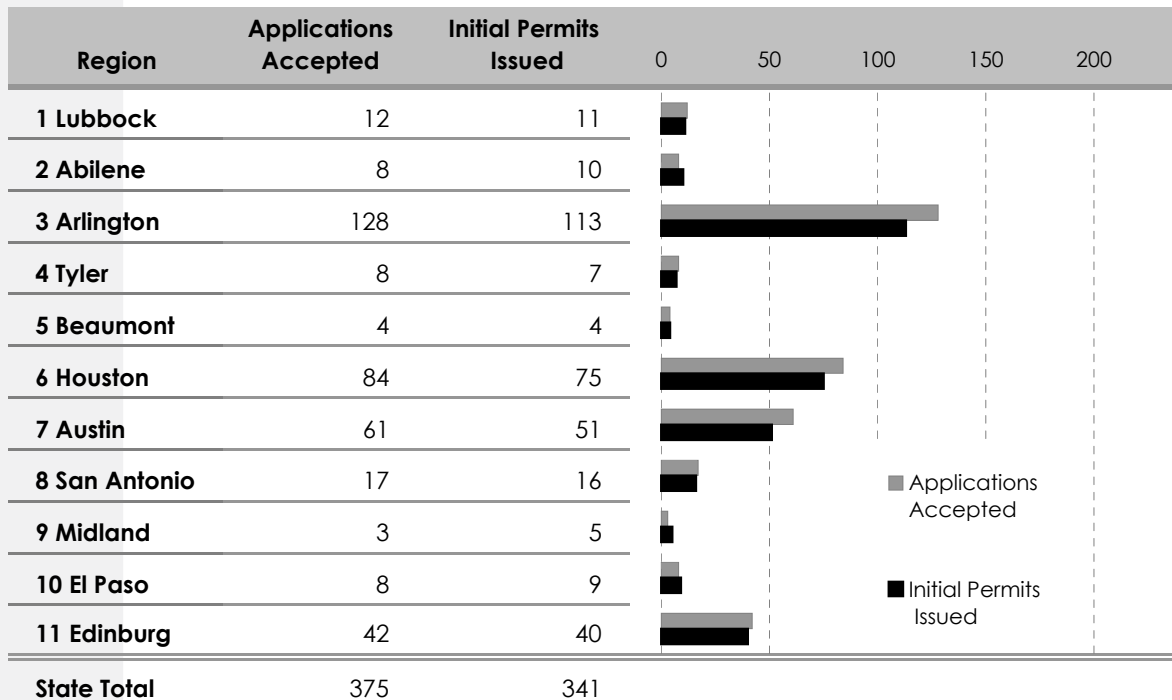
Region	Registered Child Care Homes		Small Employer Based Child Care		Total	
	2010	2011	2010	2011	2010	2011
1 Lubbock	167	162	1	0	915	952
2 Abilene	162	149	0	0	652	610
3 Arlington	2,159	2,116	1	1	7,031	7,149
4 Tyler	88	82	0	0	948	891
5 Beaumont	71	65	0	0	400	398
6 Houston	2,219	2,089	0	0	6,225	6,151
7 Austin	617	604	0	1	3,065	3,064
8 San Antonio	615	595	2	2	2,341	2,261
9 Midland	46	48	0	0	578	549
10 El Paso	85	100	0	0	855	930
11 Edinburg	307	292	0	0	2,239	2,090
Unknown/ Out of State	1	0	0	0	1	0
Total	6,537	6,302	4	4	25,250	25,045

Licensing of Child Day Care Operations by Region Fiscal Year 2011

Licensed Child Care Centers

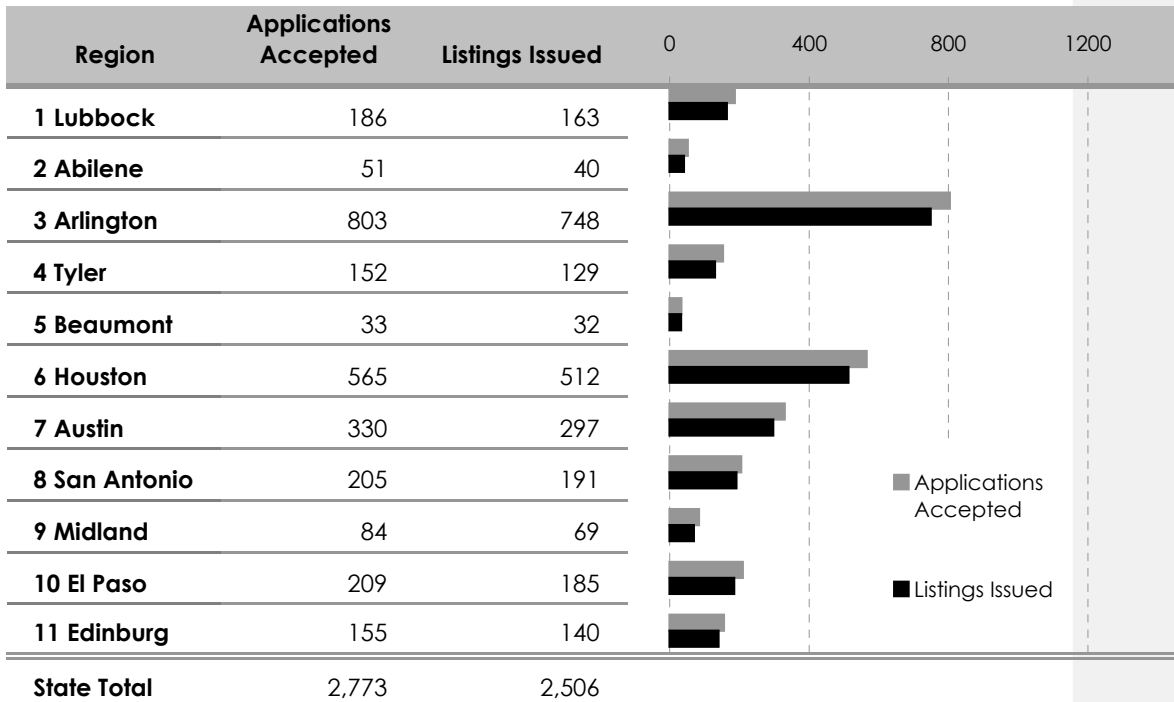


Licensed Child Care Homes

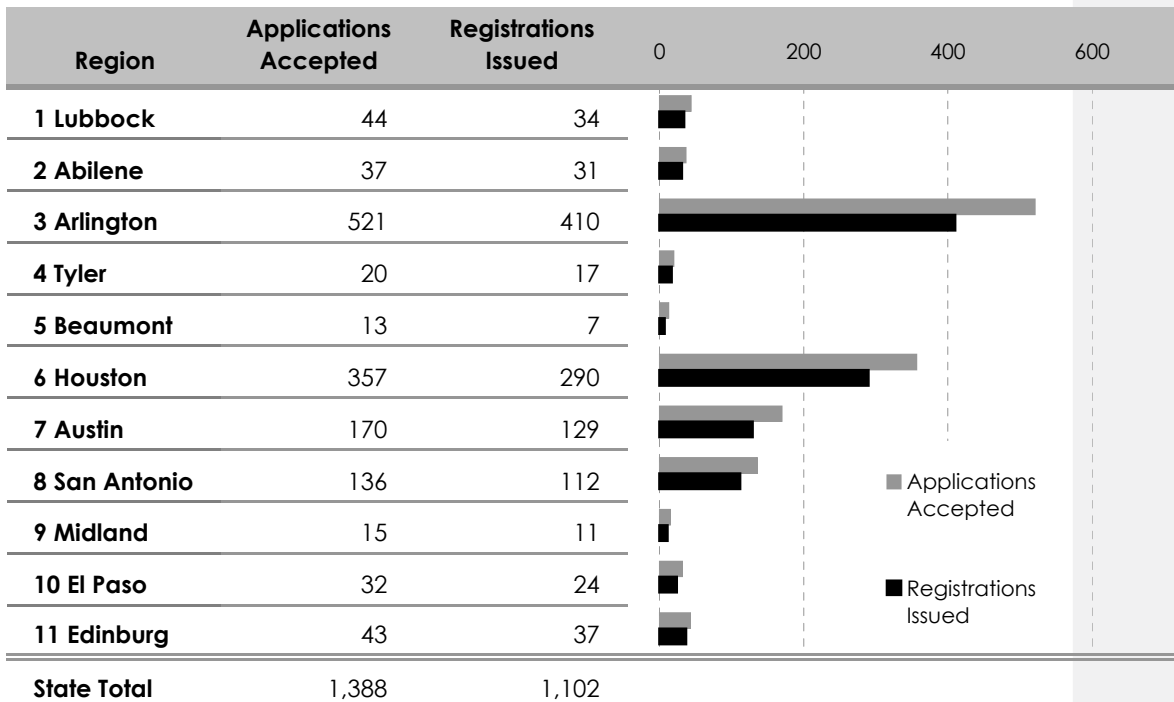


**Licensing of Child Day Care Operations by Region
Fiscal Year 2011**

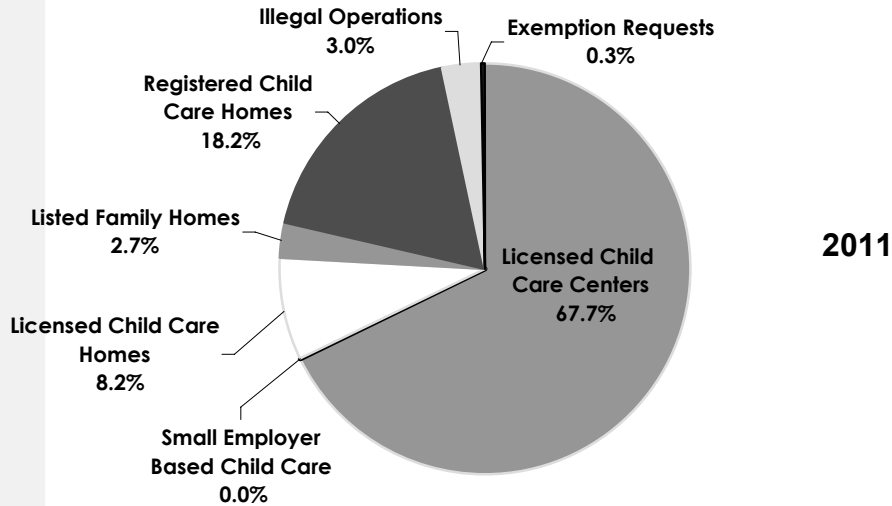
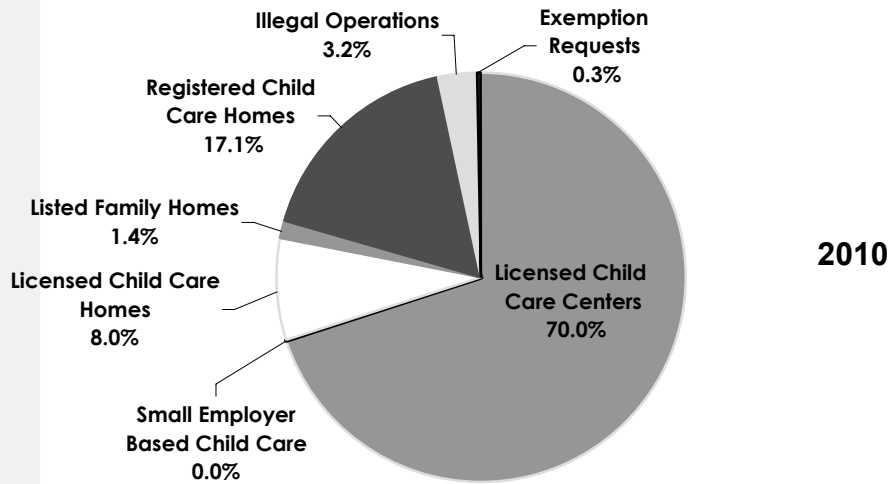
Listed Family Homes



Registered Child Care Homes



Inspections in Child Day Care Operations

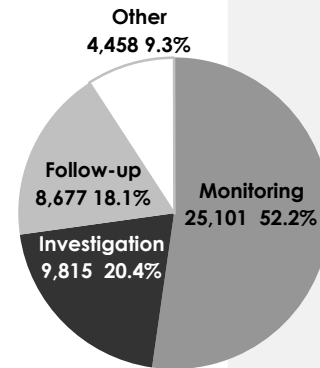


Facility Type	2010	2011
Licensed Child Care Centers	32,022	33,589
Licensed Child Care Homes	3,676	4,089
Listed Family Homes	660	1,334
Registered Child Care Homes	7,837	9,036
Small Employer Based Child Care	6	3
Illegal Operations	1,443	1,468
Exemption Requests	133	131
Total	45,777	49,650

**Inspections in Child Day Care Operations by Type of Inspection
Fiscal Year 2011
Total Inspections: 49,650**

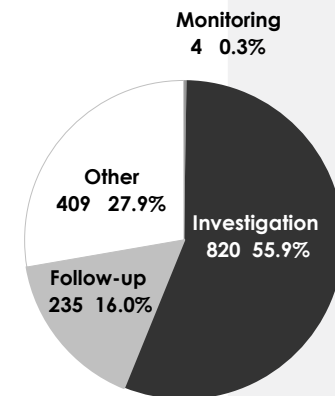
Child Day Care Operations

Inspection Type	Number
Monitoring	25,101
Investigation	9,815
Follow-up	8,677
Other	4,458
Total	48,051



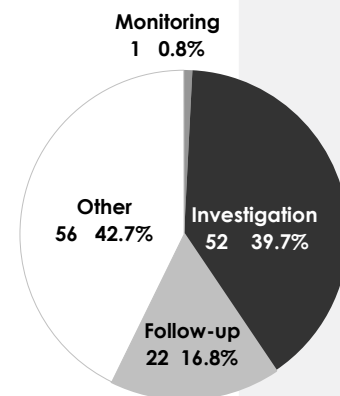
Illegal Operations

Inspection Type	Number
Monitoring	4
Investigation	820
Follow-up	235
Other	409
Total	1,468

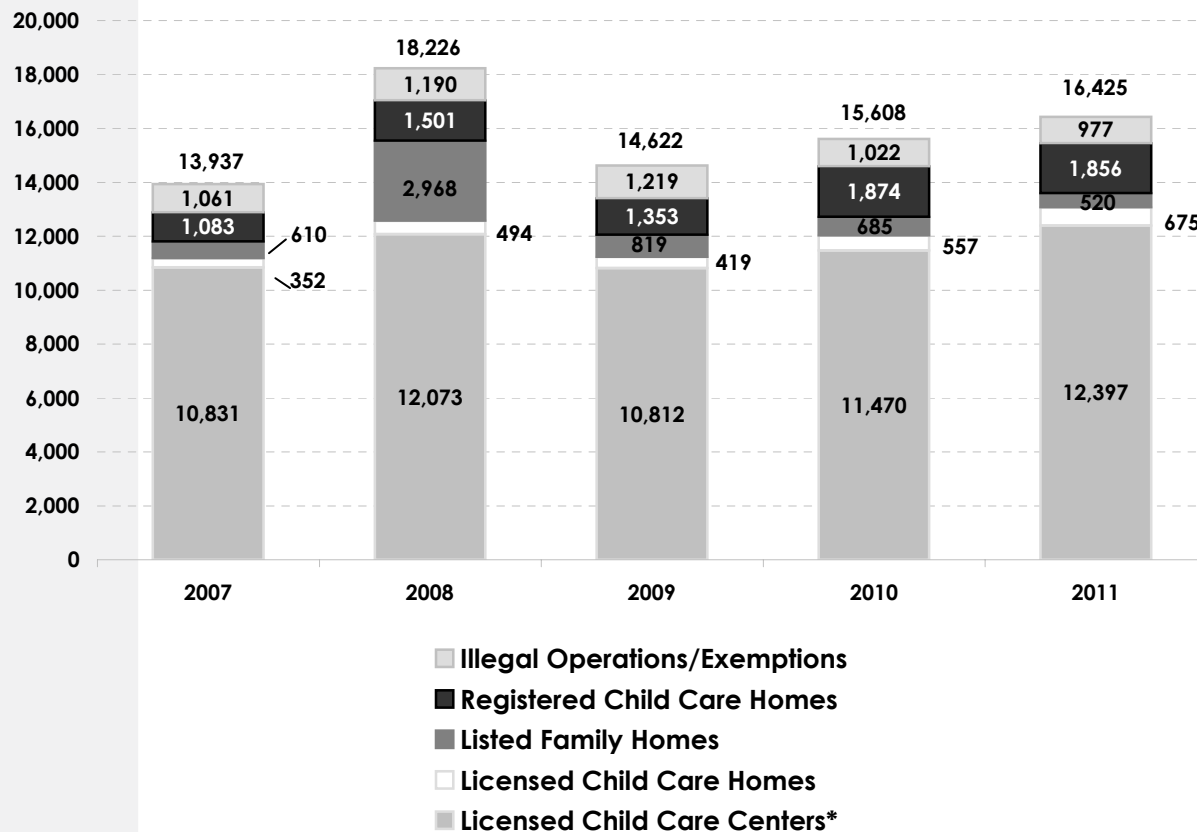


Exemption Requests

Inspection Type	Number
Monitoring	1
Investigation	52
Follow-up	22
Other	56
Total	131



Investigations in Child Day Care Operations



*Includes Small Employer Based Child Care

Investigations in Child Day Care Operations
Fiscal Year 2011

Region	Licensed Child Care Centers*	Licensed Child Care Homes	Listed Family Homes	Registered Child Care Homes	Illegal Operations Exemptions	Day Care Total
1 Lubbock	577	17	38	55	56	743
2 Abilene	232	17	11	28	28	316
3 Arlington	2,974	194	165	542	246	4,121
4 Tyler	376	13	21	7	24	441
5 Beaumont	249	7	8	17	10	291
6 Houston	2,500	112	113	378	172	3,275
7 Austin	1,500	62	67	143	156	1,928
8 San Antonio	2,108	95	64	497	101	2,865
9 Midland	255	6	13	8	15	297
10 El Paso	296	39	14	18	14	381
11 Edinburg	1,330	113	6	163	51	1,663
Other/Unknown	0	0	0	0	104	104
Total	12,397	675	520	1,856	977	16,425

*Includes Small Employer Based Child Care

Investigations in Child Day Care Operations Fiscal Year 2011

Operation Type	Total Number Operations as of 8/31/11	Investigations	Number of Abuse/Neglect Investigations			Number of Non Abuse/Neglect Investigations	
			Total	Valid	Percent Validated	Total	Deficiency Cited
Child Day Care Operations							
Licensed Child Care Centers	9,519	12,395	1,457	143	9.8%	10,983	3,069
Licensed Child Care Homes	1,743	675	58	6	10.3%	623	96
Listed Family Homes	7,477	520	114	11	9.6%	406	179
Registered Child Care Homes	6,302	1,856	168	26	15.5%	1,694	215
Small Employer Based Child Care	4	2	0	0	0.0%	2	0
Subtotal	25,045	15,448	1,797	186	10.4%	13,708	3,559
Unlicensed Operations							
Illegal Operations	461	923	262	51	19.5%	520	147
Exemption Requests	253	54	3	2	66.7%	47	26
Subtotal	714	977	265	53	20.0%	567	173
Total	25,759	16,425	2,062	239	11.6%	14,275	3,732

Note: The number of Investigations and the number of Non Abuse/Neglect Investigations are based on the date that the worker completed the investigation. The number of Abuse/Neglect Investigations uses the date that the Investigation stage closed. Therefore, the sum of Abuse/Neglect Investigations and Non Abuse/Neglect Investigations will not match the total investigations.

Adverse Actions and Corrective Actions Initiated in Child Day Care Operations by Region Fiscal Year 2011

Licensed Child Care Centers							
Region	Adverse Actions				Corrective Actions		
	Permits Denied	Permits Revoked	Permits Suspended	Total Adverse Actions	Evaluation	Probation	Total Corrective Actions
1 Lubbock	0	0	0	0	5	3	8
2 Abilene	0	0	0	0	0	1	1
3 Arlington	2	4	0	6	25	11	36
4 Tyler	1	0	0	1	9	1	10
5 Beaumont	0	0	0	0	6	3	9
6 Houston	12	14	1	27	34	18	52
7 Austin	4	2	0	6	16	5	21
8 San Antonio	4	3	0	7	11	20	31
9 Midland	0	0	0	0	1	0	1
10 El Paso	1	0	0	1	2	1	3
11 Edinburg	1	1	0	2	10	9	19
State Total	25	24	1	50	119	72	191

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

Note: Adverse actions are determined by the date the facility was sent the letter of intent. Finalizing adverse action through due process is lengthy. Corrective actions begin after the due process is completed. Voluntary Suspensions are not counted in the number of suspensions.

**Adverse Actions and Corrective Actions Initiated in Child Day Care Operations by Region
Fiscal Year 2011**

Listed Family Homes							
Region	Adverse Actions			Total Adverse Actions	Corrective Actions		
	Permits Denied	Permits Revoked	Permits Suspended		Evaluation	Probation	Total Corrective Actions
1 Lubbock	9	30	0	39	0	0	0
2 Abilene	6	26	0	32	0	0	0
3 Arlington	46	182	0	228	0	0	0
4 Tyler	8	15	0	23	0	0	0
5 Beaumont	2	10	0	12	0	0	0
6 Houston	37	107	0	144	0	0	0
7 Austin	11	56	0	67	0	0	0
8 San Antonio	15	86	0	101	0	0	0
9 Midland	7	20	0	27	0	0	0
10 El Paso	10	39	0	49	0	0	0
11 Edinburg	9	108	0	117	0	0	0
State Total	160	679	0	839	0	0	0

Registered Child Care Homes							
Region	Adverse Actions			Total Adverse Actions	Corrective Actions		
	Permits Denied	Permits Revoked	Permits Suspended		Evaluation	Probation	Total Corrective Actions
1 Lubbock	0	0	0	0	1	1	2
2 Abilene	0	0	0	0	0	1	1
3 Arlington	0	6	0	6	6	3	9
4 Tyler	0	0	0	0	0	0	0
5 Beaumont	0	0	0	0	1	0	1
6 Houston	3	21	0	24	7	1	8
7 Austin	1	4	0	5	1	2	3
8 San Antonio	5	5	0	10	1	0	1
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	0	1	1
State Total	9	36	0	45	17	9	26

Child Day Care Operations							
Grand Total	Adverse Actions			942	Corrective Actions		
	198	742	2		142	83	225

Note: Adverse actions are determined by the date the facility was sent the letter of intent. Finalizing adverse action through due process is lengthy. Corrective actions begin after the due process is completed. Voluntary Suspensions are not counted in the number of suspensions.

Background Checks for Day Care Licensing Child Care Operations Fiscal Year 2011

Operation Type	Central Registry Checks	DPS Checks	FBI Checks *
Day Care Licensing			
Licensed Child Care Center	195,235	195,234	147,979
Licensed Child Care Home	5,247	5,247	616
Listed Family Home	9,273	9,274	342
Registered Child Care Home	12,539	12,535	1,055
Small Employer Based Child Care	19	19	19
Total	222,313	222,309	150,011

* Represents the number of FBI checks that were requested, not the number that were actually processed.

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 2009

Rank	Standard Rule*	Description**	Deficiencies	Percent of Total Deficiencies
1	746.1203(4)	Responsibilities of Caregivers- Supervision of Children	1,728	1.8
2	746.3701	Safety - Areas Free From Hazards	1,679	1.7
3	746.1201(1)	Responsibilities of Employees and Caregivers -Demonstrate Competency, Good Judgment, Self-control	1,463	1.5
4	746.3407	Maintenance of Building, Grounds and Equipment	1,334	1.4
5	746.5101(a)	Annual Fire Inspection - Before Initial Permit Issued and Every 12 Months	1,204	1.2
6	745.615(a)(3)	Required background checks - each prospective employee	1,069	1.1
7	745.615(a)(2)	Required background checks - each person employed	1,002	1.0
8	747.3501	Safety - Areas Free From Hazards	997	1.0
9	745.615(b)(3)(c)	Required FBI background checks, Child Care Centers-any persons counted in the Child/Caregiver Ratio, Including volunteers	936	1.0
10	746.1601	Child/ Caregiver Ratio - 13 or More Children	849	0.9

Fiscal Year 2010

Rank	Standard Rule*	Description**	Deficiencies	Percent of Total Deficiencies
1	746.1203(4)	Responsibilities of Caregivers- Supervision of Children	1,516	1.7
2	746.3701	Safety - Areas Free From Hazards	1,493	1.7
3	746.1201(1)	Responsibilities of Employees and Caregivers -Demonstrate Competency, Good Judgment, Self-control	1,354	1.5
4	746.3407	Maintenance of Building, Grounds and Equipment	1,287	1.4
5	745.615(a)(2)	Required background checks - each person employed	1,172	1.3
6	746.5101(a)	Annual Fire Inspection - Before Initial Permit Issued and Every 12 Months	1,119	1.3
7	746.1601	Child/ Caregiver Ratio - 13 or More Children	918	1.0
8	746.605(6)	Required Admission Information - Emergency Contact	906	1.0
9	747.3501	Safety - Areas Free From Hazards	839	0.9
10	746.1315(a)	One Caregiver per Group of Children Must Have Current Training in First Aid with Rescue Breathing and Choking. Pediatric First Aid is Preferred	829	0.9

Fiscal Year 2011

Rank	Standard Rule*	Description	Deficiencies	Percent of Total Deficiencies
1	745.625(7)	Background checks submitted - Every 24 months after each person's background check was first submitted	2,346	2.5
2	745.615(a)(2)	Required background checks - each person employed	1,842	2.0
3	746.3701	Safety - Areas Free From Hazards	1,613	1.7
4	746.1203(4)	Responsibilities of Caregivers- Supervision of Children	1,544	1.6
5	745.615(b)(2)	Required FBI check - Persons at a child-care center required to have a name-based check unless the person is only regularly or frequently present	1,411	1.5
6	746.3407	Maintenance of Building, Grounds and Equipment	1,378	1.5
7	746.1201(1)	Responsibilities of Employees and Caregivers -Demonstrate Competency, Good Judgment, Self-control	1,157	1.2
8	746.5101(a)	Annual Fire Inspection - Before Initial Permit Issued and Every 12 Months	1,084	1.1
9	747.3501	Safety - Areas Free From Hazards	1,032	1.1
10	746.1601	Child/ Caregiver Ratio - 13 or More Children	871	0.9

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

** As described in FY 2011.

Note: Does not include assessment deficiencies.

