

# 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	270.4
Supervisors	40.8
Other Staff	119.1
<b>Total CCL Staff</b>	<b>430.3</b>

### Worker Demographics

Turnover Rate	19.4%
Agency Tenure:	
Less Than 1 Year	27.9%
1 - 3 Years	15.9%
Greater than 3 Years	56.2%
Entry Salary (Inv)*	\$32,328.96
Entry Salary (Non Inv)*	\$28,839.00
Average Age	39.0
Race/Ethnicity:	
African American	29.0%
Anglo	39.9%
Hispanic	25.4%
Other	5.8%

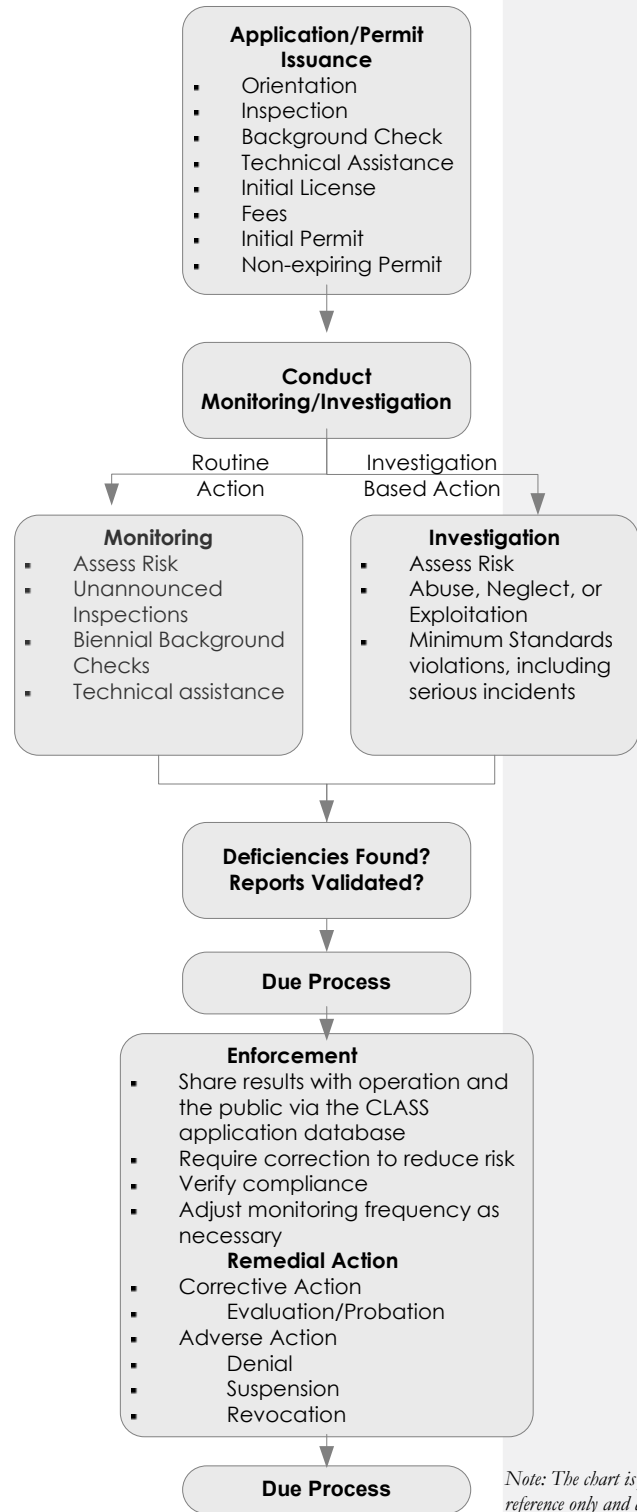
### Supervisor Demographics

Turnover Rate	7.2%
Tenure as Supervisor:	
Less Than 1 Year	31.0%
1 - 3 Years	11.9%
Greater than 3 Years	57.1%
Entry Salary*	\$47,331.00
Average Age	45.8
Race/Ethnicity:	
African American	28.6%
Anglo	38.1%
Hispanic	31.0%
Other	2.4%

### CCL Expenditures\*

CCL Staff	\$26,732,845
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\* Source: DFPS Office of Finance and FY 2016-17 LAR (plus benefit replacement pay)



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

### Statistics FY 2014

Daycare Operations/Homes:	21,612
Capacity:	1,095,721
Abuse/Neglect Investigations:	1,633
Non-Abuse/Neglect Investigations:	24,444
Inspections:	35,643
Adverse Actions:	102

## 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:

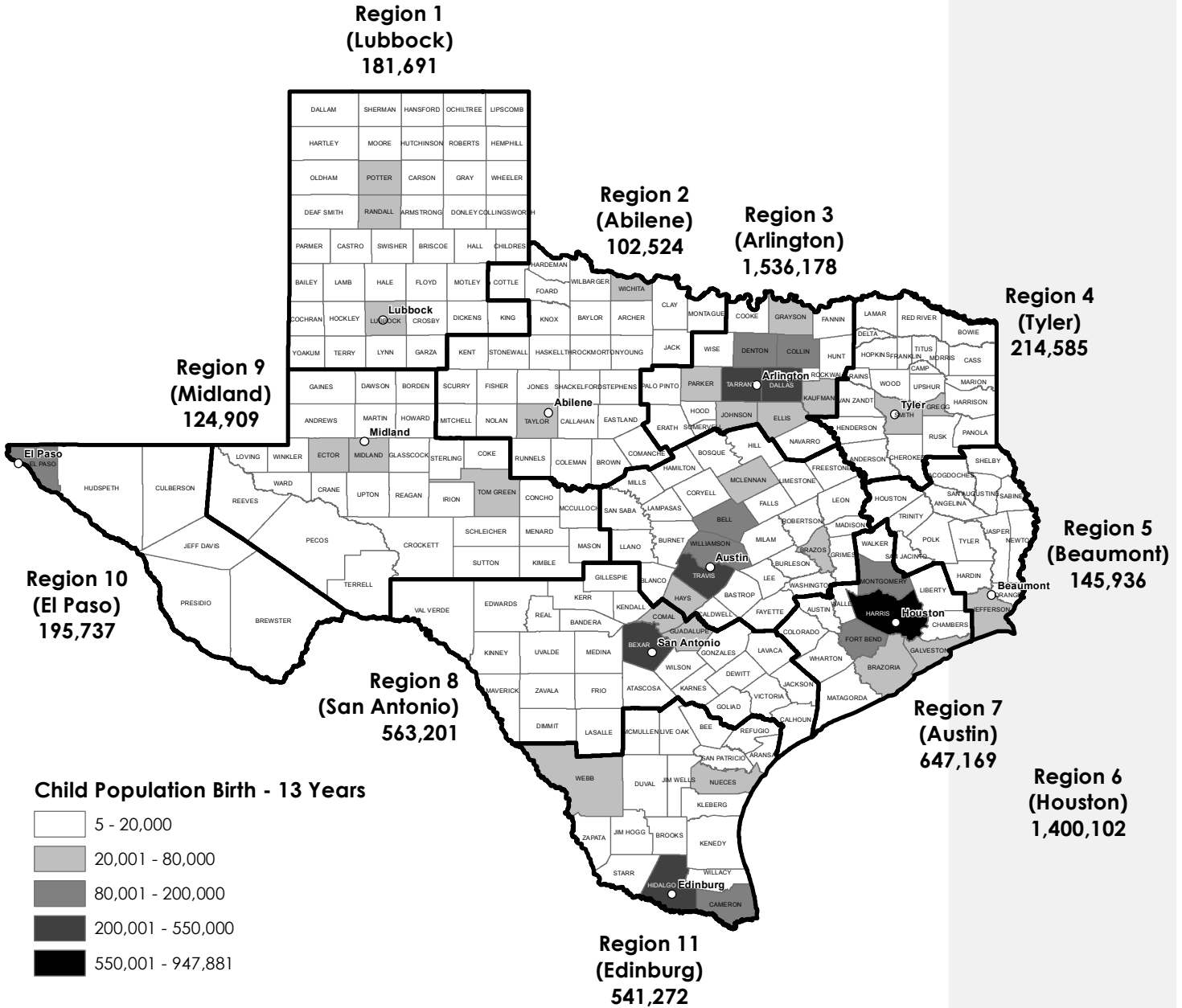
- Develop minimum standards to promote the health, safety, and well-being of children in out-of-home care.
- Inspect child-care operations to ensure they maintain compliance with minimum standards.
- Investigate allegations of abuse/neglect, investigate violations of standards or the law and ensure appropriate 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 2014**

**State Total: 5,653,304**



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

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
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
2014	9,495	1,740	5,079	5,285	5	8	21,612

*Note: Counts do not include applicants. Prior to 9/1/2011, temporary shelters were licensed and were included in the number of licensed centers. Since 9/1/2011, temporary shelters have been issued a certificate of compliance rather than a license and therefore have been counted separately from licensed centers.*

### Child Day Care Operations in Texas on August 31, by Fiscal Year

Day Care Licensing Operation Type	2013		2014	
	Count	Capacity	Count	Capacity
<b>Licensed Child Care Centers</b>				
Before/After School Program	721	54,527	699	52,802
Child Care Program	7,976	856,362	7,941	868,187
School Age Program	835	75,331	855	78,367
No Care Type	1	22	0	0
<b>Subtotal</b>	<b>9,533</b>	<b>986,242</b>	<b>9,495</b>	<b>999,356</b>
Licensed Child Care Homes	1,756	20,969	1,740	20,761
Registered Child Care Homes	5,266	61,488	5,079	59,313
Listed Family Homes	5,411	16,226	5,285	15,862
Small Employer Based Child Care	6	72	5	60
Temporary Shelter	8	369	8	369
<b>Total Child Day Care Operations</b>	<b>21,980</b>	<b>1,085,366</b>	<b>21,612</b>	<b>1,095,721</b>

*Note: Prior to 9/1/2011, temporary shelters were licensed and were included in the number of licensed centers. Since 9/1/2011, temporary shelters have been issued a certificate of compliance rather than a license and therefore have been counted separately from licensed centers.*

*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 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
<b>Statewide</b>	<b>9,533</b>	<b>1,756</b>	<b>5,266</b>	<b>5,411</b>	<b>6</b>	<b>8</b>

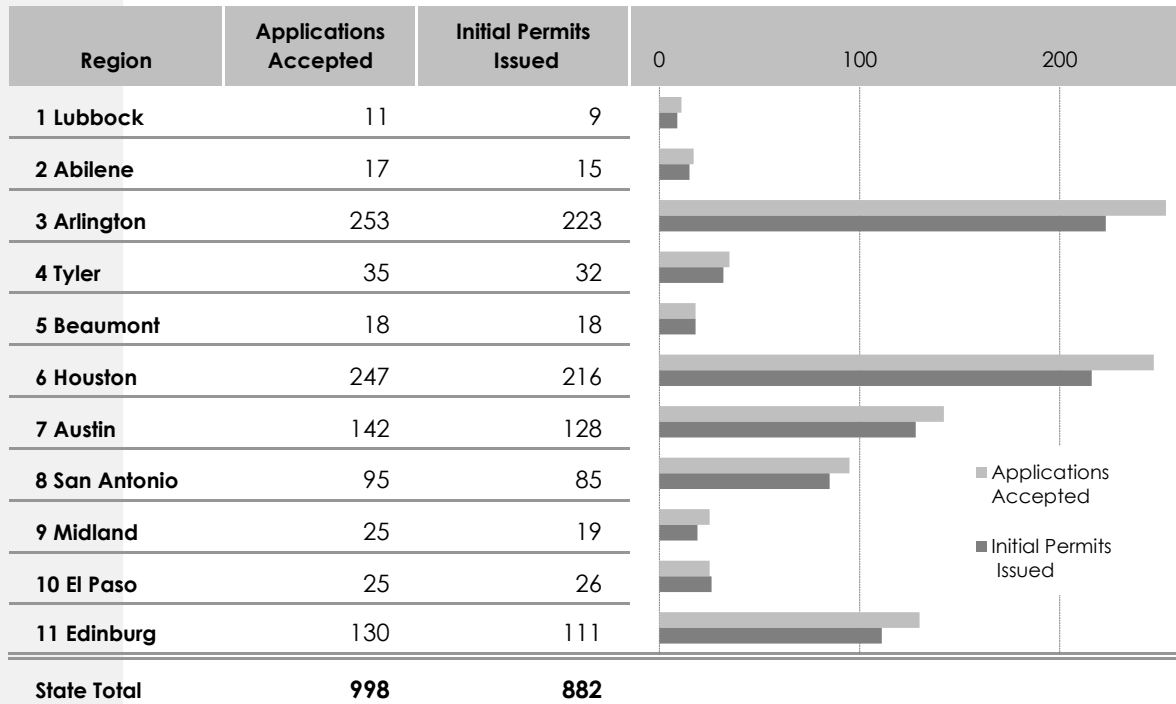
## Fiscal Year 2014

Region	Licensed Centers	Licensed Homes	Registered Homes	Listed Family Homes	Small Employer Based Child Care	Temporary Shelter Program
1 Lubbock	273	65	131	256	0	0
2 Abilene	193	53	120	120	0	0
3 Arlington	2,390	508	1,672	1,850	2	0
4 Tyler	331	54	63	169	0	1
5 Beaumont	208	26	58	72	0	0
6 Houston	2,382	287	1,726	988	1	6
7 Austin	1,364	273	494	711	1	0
8 San Antonio	847	111	462	363	1	0
9 Midland	212	40	46	127	0	0
10 El Paso	271	128	81	273	0	1
11 Edinburg	1,024	195	226	356	0	0
Unknown/ Out of State	0	0	0	0	0	0
<b>Statewide</b>	<b>9,495</b>	<b>1,740</b>	<b>5,079</b>	<b>5,285</b>	<b>5</b>	<b>8</b>

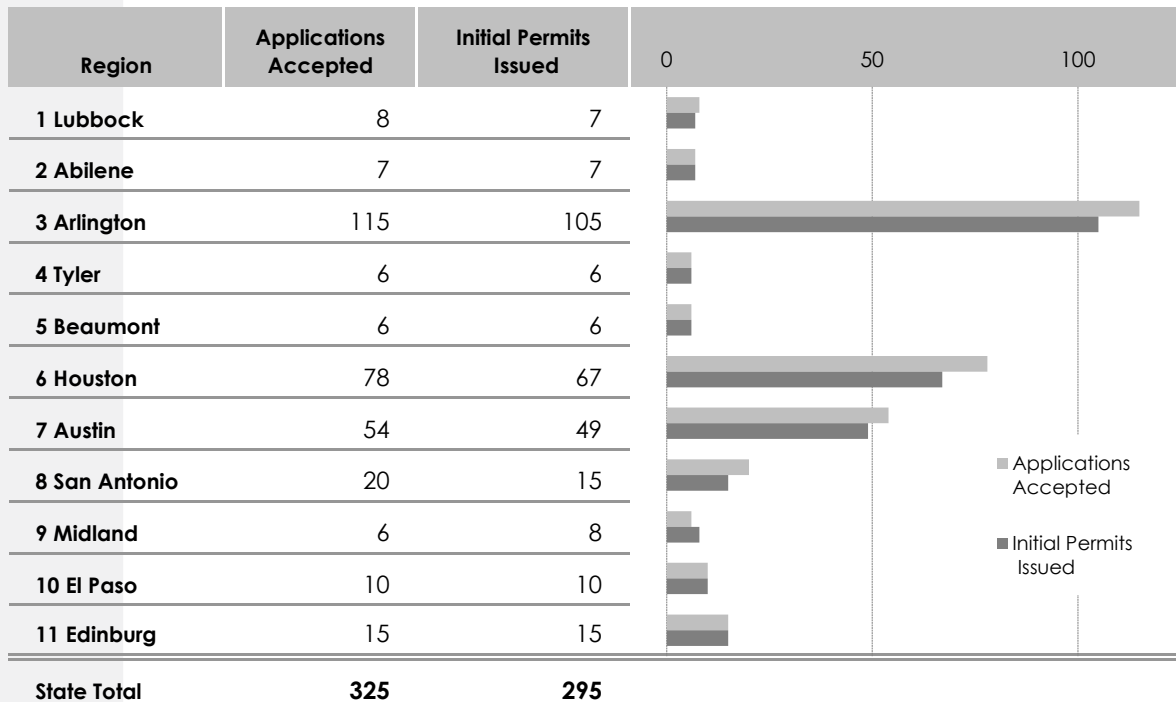
*Note: Prior to 9/1/2011, temporary shelters were licensed and were included in the number of licensed centers. Since 9/1/2011, temporary shelters have been issued a certificate of compliance rather than a license and therefore have been counted separately from licensed centers.*

## Licensing of Child Day Care Operations by Region Fiscal Year 2014

### Licensed Child Care Centers

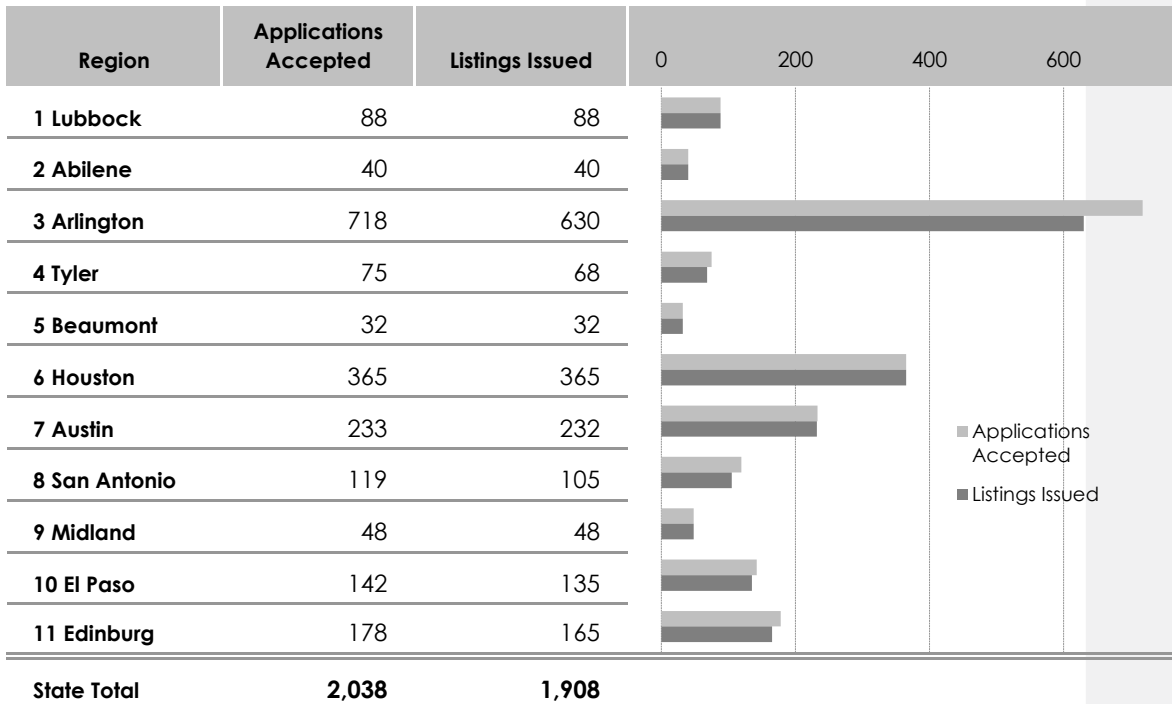


### Licensed Child Care Homes

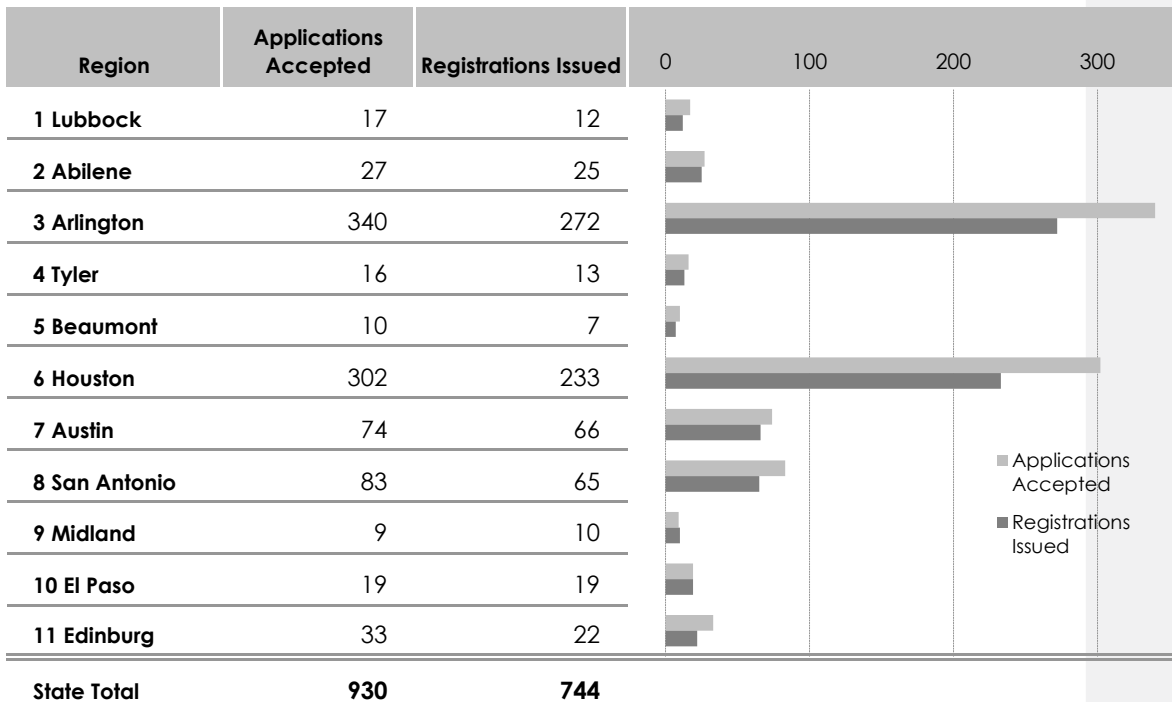


### Licensing of Child Day Care Operations by Region Fiscal Year 2014

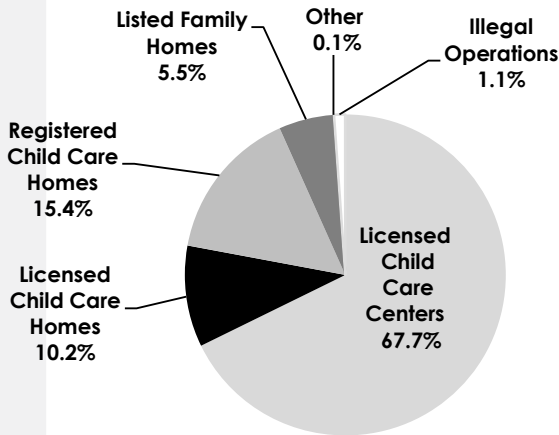
#### Listed Family Homes



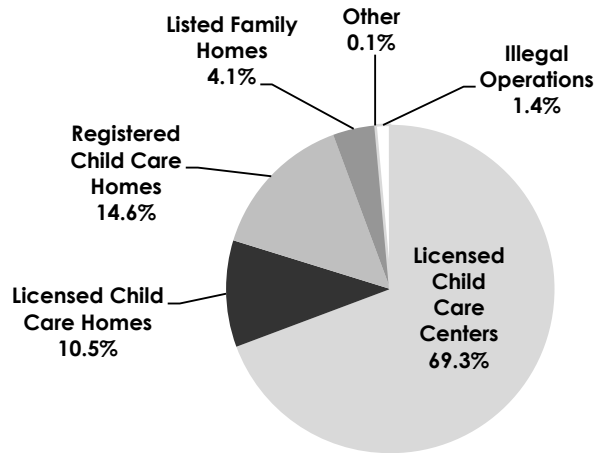
#### Registered Child Care Homes



**Inspections\* by Operation Type**



**2013**



**2014**

Operation Type	2013			2014		
	Operations <sup>1</sup>	Inspections	% of Total Inspections	Operations <sup>1</sup>	Inspections	% of Total Inspections
Licensed Child Care Centers	10,855	25,149	67.7%	10,632	24,710	69.3%
Licensed Child Care Homes	2,419	3,790	10.2%	2,340	3,722	10.5%
Registered Child Care Homes	7,376	5,702	15.4%	6,741	5,198	14.6%
Listed Family Homes	9,297	2,037	5.5%	8,009	1,468	4.1%
Small Employer Based Child Care	10	1	0.0%	10	3	0.0%
Temporary Shelter Programs	9	8	0.0%	8	4	0.0%
Exemption Requests	668	22	0.1%	686	27	0.1%
Illegal Operations	1,757	419	1.1%	3,639	511	1.4%
<b>Total<sup>2</sup></b>	<b>32,131</b>	<b>37,128</b>		<b>31,864</b>	<b>35,643</b>	

\*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.

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

<sup>2</sup> 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.

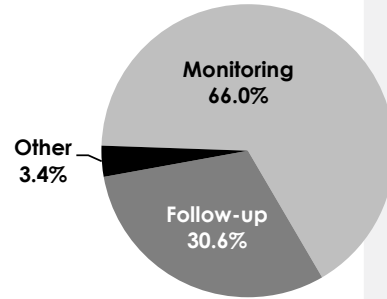


**Inspections\* in Child Day Care Operations by Type of Inspection  
Fiscal Year 2014**

**Total Inspections: 35,643**

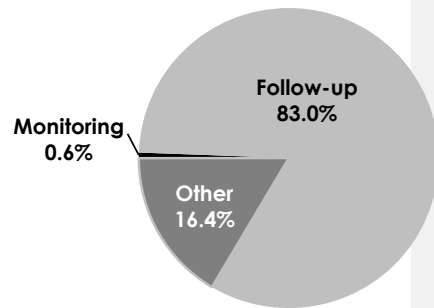
**Child Day Care Operations**

Inspection Type	Count
Monitoring	23,174
Follow-up	10,731
Other	1,200
<b>Total</b>	<b>35,105</b>



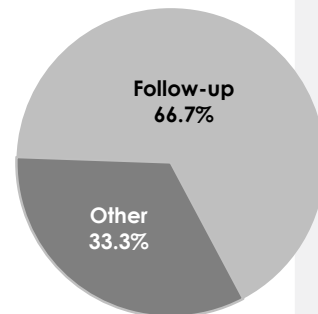
**Illegal Operations**

Inspection Type	Count
Monitoring	3
Follow-up	424
Other	84
<b>Total</b>	<b>511</b>



**Exemption Requests**

Inspection Type	Count
Monitoring	0
Follow-up	18
Other	9
<b>Total</b>	<b>27</b>



*\*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	2010	2011	2012	2013	2014
Licensed Child Care Centers	11,469	12,395	11,136	12,586	14,350
Licensed Child Care Homes	557	675	473	718	1,159
Registered Child Care Homes	1,874	1,856	992	1,836	3,367
Listed Family Homes	685	520	526	2,347	4,259
Small Employer Based Child Care	1	2	0	2	1
Temporary Shelter Programs	0	0	0	2	6
Illegal Operations and Exemptions	1,022	977	987	1,125	3,252
<b>Total</b>	<b>15,608</b>	<b>16,425</b>	<b>14,114</b>	<b>18,616</b>	<b>26,394</b>

### Investigations in Child Day Care Operations Fiscal Year 2014

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 & Exemptions	Day Care Total
1 Lubbock	608	41	89	169	0	0	208	1,115
2 Abilene	291	25	79	109	0	0	146	650
3 Arlington	3,833	347	1,261	1,691	0	0	587	7,719
4 Tyler	393	33	35	115	0	2	128	706
5 Beaumont	294	16	21	45	0	0	221	597
6 Houston	2,936	207	985	658	1	4	637	5,428
7 Austin	2,118	179	318	546	0	0	250	3,411
8 San Antonio	1,774	73	350	255	0	0	345	2,797
9 Midland	395	36	20	138	0	0	153	742
10 El Paso	323	50	39	172	0	0	129	713
11 Edinburg	1,385	152	170	361	0	0	441	2,509
Unknown	0	0	0	0	0	0	7	7
<b>Total</b>	<b>14,350</b>	<b>1,159</b>	<b>3,367</b>	<b>4,259</b>	<b>1</b>	<b>6</b>	<b>3,252</b>	<b>26,394</b>

### Non-Abuse/Neglect Investigations in Child Day Care Operations Fiscal Year 2014

Operation Type	Operations <sup>1</sup>		Non-Abuse/Neglect Investigations <sup>2</sup>	
	Count	With a Non-A/N Investigation	Completed	With at Least 1 Deficiency Cited <sup>2</sup>
<b>Child Day Care Operations</b>				
Licensed Child Care Centers	10,632	5,948	13,131	2,797
Licensed Child Care Homes	2,340	814	1,108	48
Registered Homes	6,741	2,396	3,265	90
Listed Homes	8,009	2,911	4,210	56
Small Employer Based Child Care	10	1	1	0
Temporary Shelter Care	8	4	5	0
<b>Subtotal</b>	<b>27,740</b>	<b>12,074</b>	<b>21,720</b>	<b>2,991</b>
<b>Other</b>				
Illegal Operations <sup>3</sup> and Exemption Requests	4,325	2,679	2,724	512
<b>Total<sup>4</sup></b>	<b>31,864</b>	<b>14,541</b>	<b>24,444</b>	<b>3,503</b>

### Abuse/Neglect Investigations in Child Day Care Operations Fiscal Year 2014

Operation Type	Operations <sup>1</sup>		Abuse/Neglect Investigations			
	Count	With a Closed A/N Investigation	Closed	Validated	% Validated	With at Least 1 Deficiency Cited <sup>2</sup>
<b>Child Day Care Operations</b>						
Licensed Child Care Centers	10,632	994	1,172	139	11.9%	605
Licensed Child Care Homes	2,340	46	50	10	20.0%	26
Registered Homes	6,741	85	87	15	17.2%	56
Listed Homes	8,009	45	48	11	22.9%	28
Small Employer Based Child Care	10	0	0	0	0.0%	0
Temporary Shelter Care	8	0	0	0	0.0%	0
<b>Subtotal</b>	<b>27,740</b>	<b>1,170</b>	<b>1,357</b>	<b>175</b>	<b>12.9%</b>	<b>715</b>
<b>Other</b>						
Illegal Operations <sup>3</sup> and Exemption Requests	4,325	274	276	77	27.9%	263
<b>Statewide<sup>4</sup></b>	<b>31,864</b>	<b>1,444</b>	<b>1,633</b>	<b>252</b>	<b>15.4%</b>	<b>978</b>

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

<sup>2</sup> The deficiencies are related to the investigation allegations.

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

<sup>4</sup> 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 2014

Region	Illegal Operations Identified*	Resolutions**			Illegal Operations Open-Pending Resolution
		Not Subject/Exempt	Permit Issued	Voluntary Closures	
1 Lubbock	226	152	23	7	22
2 Abilene	157	106	16	11	10
3 Arlington	664	255	132	31	144
4 Tyler	124	98	12	4	6
5 Beaumont	241	133	22	10	64
6 Houston	694	410	51	32	88
7 Austin	286	135	42	24	37
8 San Antonio	381	181	30	23	104
9 Midland	167	122	14	9	20
10 El Paso	166	114	9	2	25
11 Edinburg	498	337	17	15	95
Unknown	35	16	0	0	11
<b>Total</b>	<b>3,639</b>	<b>2,059</b>	<b>368</b>	<b>168</b>	<b>626</b>

\*Includes 78 illegal operations identified prior to FY 2014, 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 2014**

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	0	1	1
2 Abilene	0	0	0	0	1	0	1
3 Arlington	3	1	0	4	12	3	15
4 Tyler	1	1	0	2	7	0	7
5 Beaumont	0	0	0	0	2	0	2
6 Houston	3	4	0	7	23	6	29
7 Austin	0	2	0	2	22	3	25
8 San Antonio	4	1	0	5	5	9	14
9 Midland	0	0	0	0	1	1	2
10 El Paso	0	0	0	0	1	0	1
11 Edinburg	2	2	0	4	19	7	26
<b>State Total</b>	<b>13</b>	<b>11</b>	<b>0</b>	<b>24</b>	<b>93</b>	<b>30</b>	<b>123</b>

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	4	0	4	1	0	1
4 Tyler	0	0	0	0	0	0	0
5 Beaumont	0	0	0	0	0	0	0
6 Houston	0	0	0	0	1	0	1
7 Austin	0	1	0	1	0	0	0
8 San Antonio	0	0	0	0	0	0	0
9 Midland	0	1	0	1	0	0	0
10 El Paso	0	1	0	1	0	1	1
11 Edinburg	0	0	0	0	1	0	1
<b>State Total</b>	<b>0</b>	<b>7</b>	<b>0</b>	<b>7</b>	<b>3</b>	<b>1</b>	<b>4</b>

*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 2014

Region	Listed Family Homes			
	Adverse Actions			
	Permits Denied	Permits Revoked	Permits Suspended	Total
1 Lubbock	5	0	0	5
2 Abilene	4	0	0	4
3 Arlington	2	2	0	4
4 Tyler	2	0	0	2
5 Beaumont	0	0	0	0
6 Houston	3	0	0	3
7 Austin	12	2	0	14
8 San Antonio	8	1	0	9
9 Midland	3	0	0	3
10 El Paso	5	1	0	6
11 Edinburg	5	4	0	9
<b>State Total</b>	<b>49</b>	<b>10</b>	<b>0</b>	<b>59</b>

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	1	1	0	2	1	0	1
2 Abilene	0	0	0	0	0	0	0
3 Arlington	0	3	0	3	0	0	0
4 Tyler	0	0	0	0	0	0	0
5 Beaumont	0	0	0	0	0	0	0
6 Houston	0	2	0	2	3	2	5
7 Austin	0	3	0	3	1	0	1
8 San Antonio	0	0	0	0	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	2	0	2	0	0	0
<b>State Total</b>	<b>1</b>	<b>11</b>	<b>0</b>	<b>12</b>	<b>6</b>	<b>2</b>	<b>8</b>

Grand Total	Child Day Care Operations						
	Adverse Actions				Corrective Actions		
	<b>63</b>	<b>39</b>	<b>0</b>	<b>102</b>	<b>102</b>	<b>33</b>	<b>135</b>

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 2014

Operation Type	Central Registry Checks	DPS Checks	FBI Checks *
<b>Day Care Licensing</b>			
Licensed Child Care Center	214,959	214,958	186,159
Licensed Child Care Home	5,281	5,280	1,058
Registered Child Care Home	9,358	9,357	1,303
Listed Family Home	7,316	7,315	794
Small Employer Based Child Care	19	19	17
Temporary Shelter Programs	84	84	28
<b>Total</b>	<b>237,017</b>	<b>237,013</b>	<b>189,359</b>

*\* 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 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

### Fiscal Year 2014

Rank	Standard Rule*	Description	Deficiencies	% of Total Deficiencies
1	746.1203(4)	Responsibilities of Caregivers- Supervision of Children	1,369	1.7
2	746.3701	Safety - Areas Free From Hazards	1,306	1.6
3	746.3407	Maintenance of Building, Grounds and Equipment	1,242	1.6
4	745.625(b)	Renewal background checks submitted - No later than two years from the date of your most recently requested initial or renewal background check	1,232	1.6
5	745.615(a)(2)	Required background checks-each person employed	1,021	1.3
6	746.1201(1)	Responsibilities of Employees and Caregivers -Demonstrate Competency, Good Judgment, Self-control	972	1.2
7	745.625(7)	Background checks submitted - Every 24 months after each person's background check was first submitted	946	1.2
8	746.5101(a)	Annual Fire Inspection - Before Initial Permit Issued and Every 12 Months	921	1.2
9	746.1601	Child/ Caregiver Ratio - 13 or More Children	885	1.1
10	747.3501	Safety - Areas Free From Hazards	778	1.0

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

Note: Includes inspection, investigation, and assessment deficiencies.