

RCCL

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 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	124.4
Supervisors	23.8
Other Staff	28.8
Total RCCL Staff	177.0

Worker Demographics

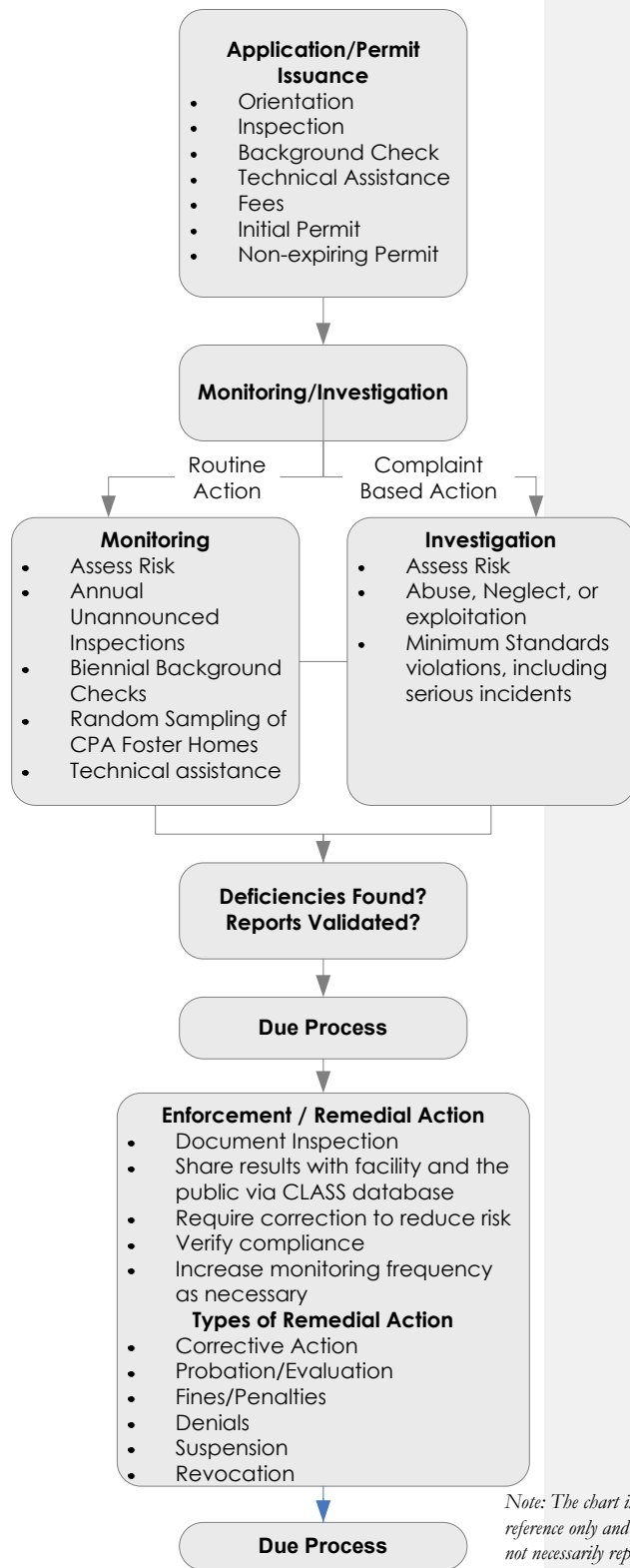
Turnover Rate	8.5%
Agency Tenure:	
Less Than 1 Year	5.7%
1 - 3 Years	18.9%
Greater than 3 Years	75.4%
Entry Salary (Inv)	\$36,355.68
Entry Salary (Non-Inv)	\$32,610.96
Average Age	39.5
Race/Ethnicity:	
African-American	36.1%
Anglo	36.9%
Hispanic	24.6%
Other	2.5%

Supervisor Demographics

Turnover Rate	4.2%
Agency Tenure:	
Less Than 1 Year	0.0%
1 - 3 Years	4.5%
Greater than 3 Years	95.5%
Entry Salary	\$43,672.92
Average Age	39.8
Race/Ethnicity:	
African-American	50.0%
Anglo	18.2%
Hispanic	27.3%
Other	4.5%

RCCL Expenditures

RCCL Staff	\$9,365,305
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Note: The chart is for reference only and does not necessarily represent the flow of a case.

Statistics FY 2011

24-Hour Care Facilities	10,774
Capacity of Facilities	42,766
Abuse/Neglect Investigations	2,065
Non-Abuse/Neglect Investigations	2,774
Inspections	11,577
Adverse Actions	2

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.
- Conduct inspections of a random sample of agency foster homes.
- Conduct annual enforcement team conferences to thoroughly review operations.

Other Programmatic Information: Challenges

- Consistently enforcing adherence to minimum standards across the state.
- Developing cooperative, professional, and effective relationships with 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.

Fiscal Year 2004 and 2011 Pre- and Post-Reform Statistics by Region (RCCL)

2004	Region 1 - Lubbock	2011
0.0%	Turnover	0.0%
\$44,338	Average Base Salary	\$40,561
95	Inspections	613
129	Investigations	243

2004	Region 2 - Abilene	2011
0.0%	Turnover	14.8%
\$0	Average Base Salary	\$38,120
38	Inspections	402
134	Investigations	163

2004	Region 3 - Arlington	2011
0.0%	Turnover	11.8%
\$39,191	Average Base Salary	\$36,557
341	Inspections	2,205
436	Investigations	884

2004	Region 9 - Midland	2011
0.0%	Turnover	0.0%
\$0	Average Base Salary	\$47,765
24	Inspections	109
87	Investigations	37

2004	Region 7 - Austin	2011
26.7%	Turnover	7.1%
\$34,351	Average Base Salary	\$36,929
396	Inspections	1,547
603	Investigations	611

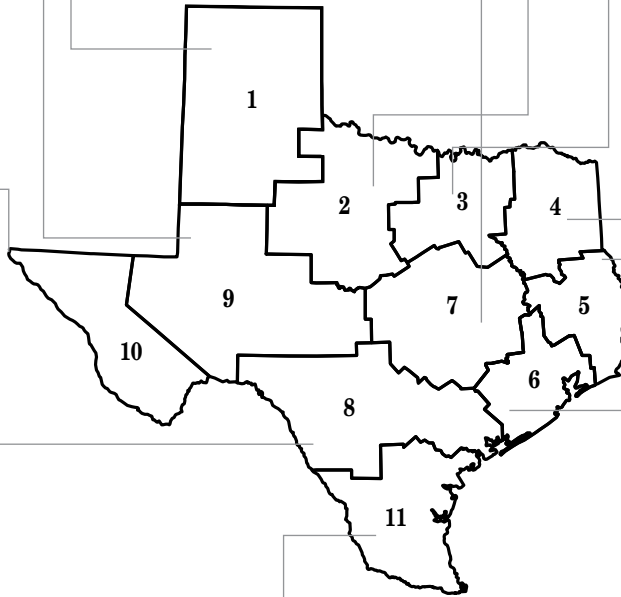
2004	Region 4 - Tyler	2011
0.0%	Turnover	25.0%
\$32,501	Average Base Salary	\$40,750
95	Inspections	423
139	Investigations	216

2004	Region 10 - El Paso	2011
0.0%	Turnover	0.0%
\$32,865	Average Base Salary	\$41,460
38	Inspections	275
47	Investigations	76

2004	Region 5 - Beaumont	2011
100.0%	Turnover	33.3%
\$34,518	Average Base Salary	\$40,864
57	Inspections	236
62	Investigations	125

2004	Region 8 - San Antonio	2011
38.1%	Turnover	4.7%
\$34,462	Average Base Salary	\$38,694
337	Inspections	1,931
367	Investigations	906

2004	Region 6 - Houston	2011
0.0%	Turnover	9.0%
\$36,337	Average Base Salary	\$36,977
660	Inspections	2,881
991	Investigations	1,182



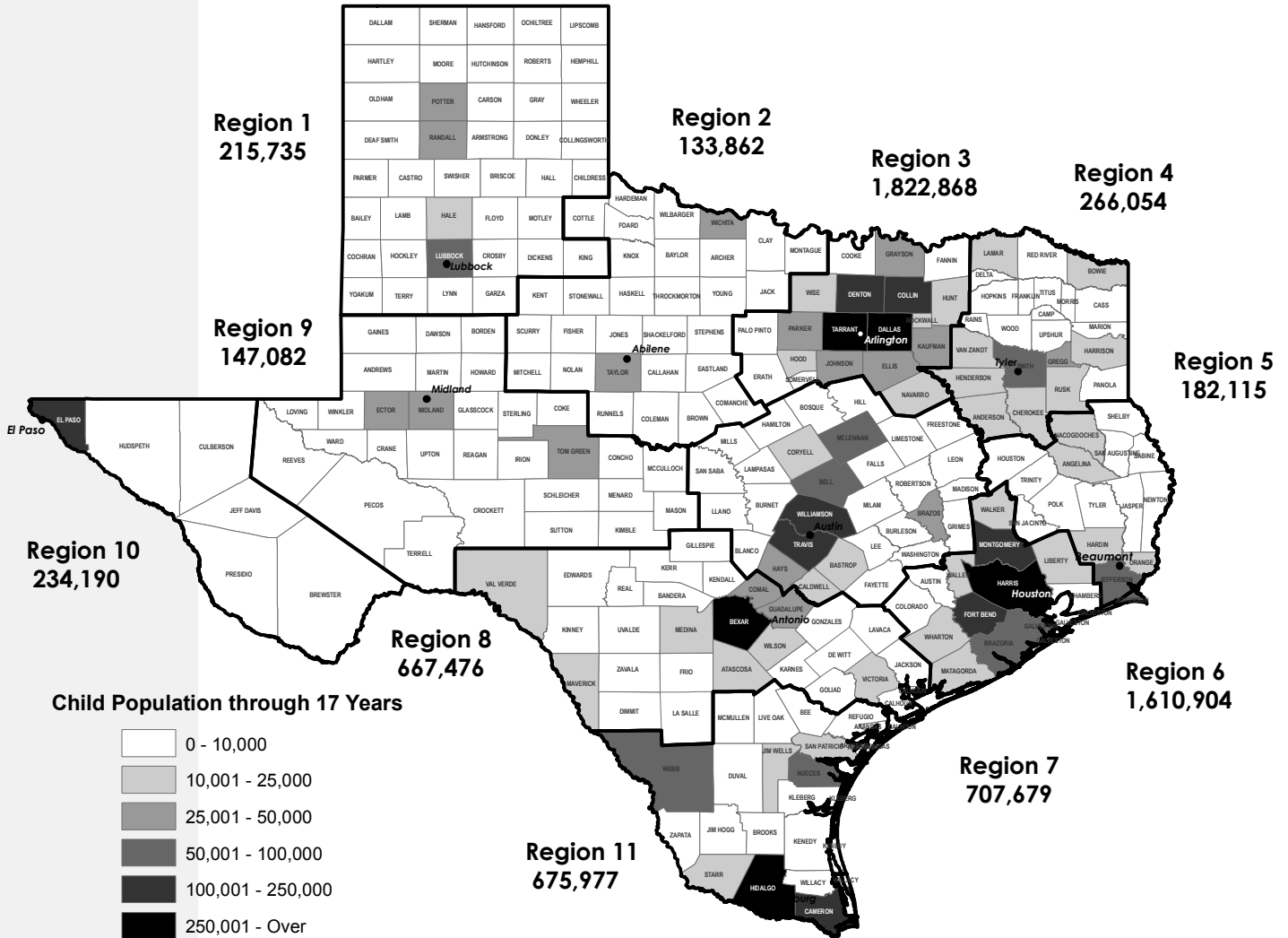
2004	Region 11 - Edinburg	2011
0.0%	Turnover	0.0%
\$33,926	Average Base Salary	\$39,319
132	Inspections	930
339	Investigations	381

2004	Statewide Totals	2011
33.8	Caseworkers*	123.4
12.9%	Turnover	8.5%
\$36,499	Average Base Salary	\$37,958
2,213	Inspections	11,553
3,341	Investigations	4,824

* RCCL workers report to a state office division and are not regionally allocated.
 Note: The State Total for Inspections and Investigations includes those where the Region was Unknown and/or Out of State.
 Note: The State Total for Inspections and Investigations does not include Illegal Operations.

**Texas Child Population
Ages Birth through 17 Years
Fiscal Year 2011**

State Total: 6,663,942



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

Residential Child Care Licensing Operations* in Texas as of August 31

Year	Child Placing Agencies (CPA)**	Homes Verified by CPAs	General Residential Operations	Residential Treatment Centers	Independent Foster Family and Group Homes	Maternity Homes	Total Licensed Residential
2007	332	9,438	140	87	15	16	10,028
2008	331	9,518	144	90	10	13	10,106
2009	334	9,761	150	89	14	13	10,361
2010	341	9,731	154	79	7	10	10,322
2011	350	10,167	160	85	4	8	10,774

* Counts do not include Applicants

** Counts include Branch Offices

Residential Child Care Licensing Operations in Texas as of August 31

	2010		2011	
	Count	Capacity	Count	Capacity
Child Placing Agencies*				
Main Offices	200	NA	205	NA
Branch Offices**	141	NA	145	NA
Subtotal	341	NA	350	NA
Homes Verified by Child Placing Agencies	Count	Capacity	Count	Capacity
Agency Foster Homes ***	6,741	22,632	7,138	22,392
Agency Group Homes ***	436	3,894	429	3,781
CPS Foster Family Homes	1,732	5,157	1,822	5,300
CPS Foster Group Homes	22	134	20	116
CPS Adoptive Homes	800	N/A	758	N/A
Subtotal	9,731	31,817	10,167	31,589
Licensed Residential Operations	Count	Capacity	Count	Capacity
General Residential Operations	154	7,050	160	7,258
Residential Treatment Centers	79	3,630	85	3,749
Independent Foster Homes	1	6	1	6
Independent Foster Group Homes	6	65	3	32
Maternity Homes	10	154	8	132
Subtotal	250	10,905	257	11,177
Total Residential Child Care Licensing Operations	10,322	42,722	10,774	42,766

* Includes 11 DFPS Regional Child Placing Agencies

** Branch Offices operate under the license authority of the main office.

*** Adoptive only homes are not included in the number of private agency homes.

Residential Child Care Licensing Operations Regulated by Fiscal Year

Child Placing Agencies

Region	Main Offices		Branch Offices		Total CPAs	
	2010	2011	2010	2011	2010	2011
1 Lubbock	10	9	11	11	21	20
2 Abilene	6	7	13	13	19	20
3 Arlington	63	64	21	21	84	85
4 Tyler	6	6	9	7	15	13
5 Beaumont	4	5	6	6	10	11
6 Houston	36	38	19	20	55	58
7 Austin	33	34	19	20	52	54
8 San Antonio	30	30	15	19	45	49
9 Midland	3	4	4	4	7	8
10 El Paso	4	3	5	5	9	8
11 Edinburg	5	5	19	19	24	24
Unknown/Out Of State	0	0	0	0	0	0
Total	200	205	141	145	341	350

Homes Verified by Child Placing Agencies

Region	Agency Foster Homes		Agency Group Homes		CPS Foster Homes	
	2010	2011	2010	2011	2010	2011
1 Lubbock	296	304	11	12	150	148
2 Abilene	177	203	20	18	90	95
3 Arlington	1,684	1,884	117	102	373	400
4 Tyler	300	274	15	17	112	110
5 Beaumont	172	176	19	24	125	134
6 Houston	1,416	1,549	58	64	345	340
7 Austin	998	1,026	57	51	166	201
8 San Antonio	1,006	1,016	65	68	172	141
9 Midland	108	124	13	11	56	77
10 El Paso	152	146	9	9	42	43
11 Edinburg	431	435	52	53	68	82
Unknown/Out Of State	1	1	0	0	33	51
Total	6,741	7,138	436	429	1,732	1,822

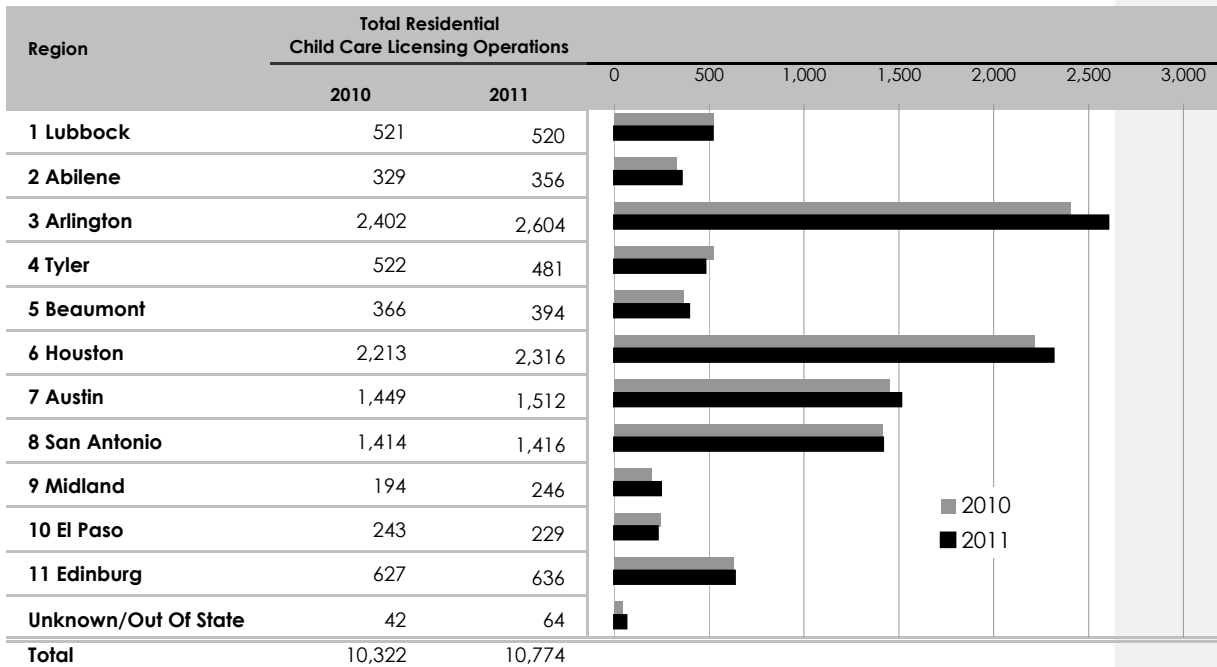
Region	CPS Foster Group Homes		CPS Adoptive Homes		Subtotal - Total Homes Verified by CPAs	
	2010	2011	2010	2011	2010	2011
1 Lubbock	3	2	25	18	485	484
2 Abilene	0	0	15	13	302	329
3 Arlington	4	2	109	102	2,287	2,490
4 Tyler	0	0	69	55	496	456
5 Beaumont	0	0	33	41	349	375
6 Houston	6	6	262	224	2,087	2,183
7 Austin	2	2	136	138	1,359	1,418
8 San Antonio	5	6	77	91	1,325	1,322
9 Midland	1	1	5	21	183	234
10 El Paso	0	0	25	17	228	215
11 Edinburg	1	1	36	26	588	597
Unknown/Out Of State	0	0	8	12	42	64
Total	22	20	800	758	9,731	10,167

Residential Child Care Licensing Operations Regulated by Fiscal Year

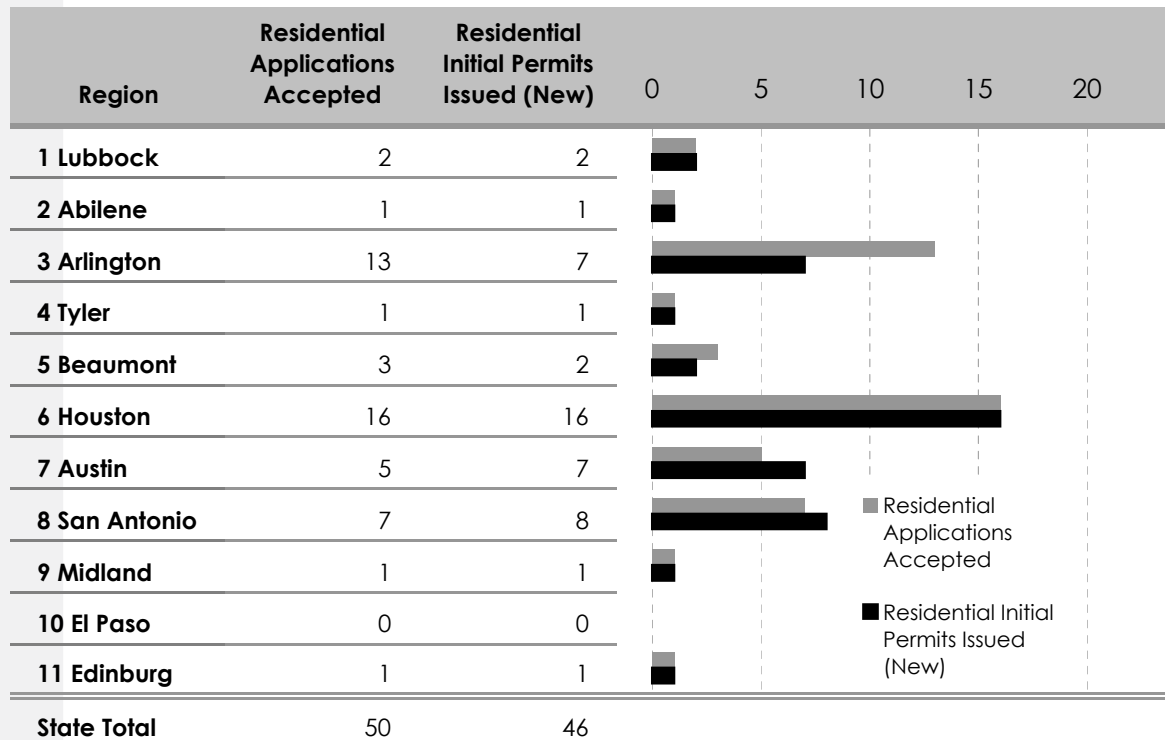
Licensed Residential Operations

Region	General Residential Operations		Residential Treatment Centers		Independent Foster Family Homes	
	2010	2011	2010	2011	2010	2011
	1 Lubbock	12	12	2	3	0
2 Abilene	6	6	1	1	0	0
3 Arlington	22	21	7	7	0	0
4 Tyler	6	6	4	4	0	0
5 Beaumont	5	6	2	2	0	0
6 Houston	28	32	36	39	0	0
7 Austin	23	24	13	14	0	0
8 San Antonio	30	30	12	13	1	1
9 Midland	4	4	0	0	0	0
10 El Paso	5	5	1	1	0	0
11 Edinburg	13	14	1	1	0	0
Unknown/Out Of State	0	0	0	0	0	0
Total	154	160	79	85	1	1

Region	Independent Foster Group Homes		Maternity Homes		Subtotal - Licensed Residential Operations	
	2010	2011	2010	2011	2010	2011
	1 Lubbock	0	0	1	1	15
2 Abilene	0	0	1	0	8	7
3 Arlington	0	0	2	1	31	29
4 Tyler	0	0	1	2	11	12
5 Beaumont	0	0	0	0	7	8
6 Houston	6	3	1	1	71	75
7 Austin	0	0	2	2	38	40
8 San Antonio	0	0	1	1	44	45
9 Midland	0	0	0	0	4	4
10 El Paso	0	0	0	0	6	6
11 Edinburg	0	0	1	0	15	15
Unknown/Out Of State	0	0	0	0	0	0
Total	6	3	10	8	250	257

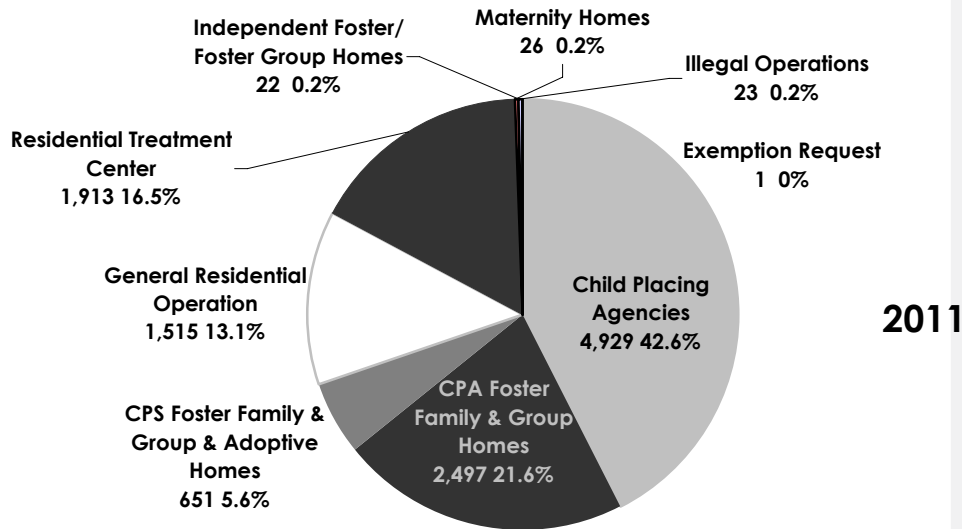
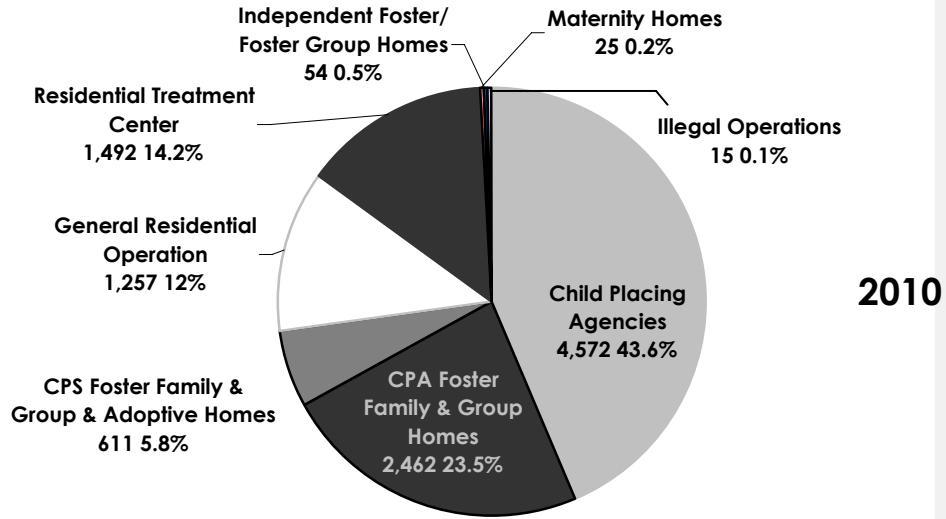


Licensing of Residential Child Care Operations by Region Fiscal Year 2011



Note: Does not include homes verified by CPA's. Includes Child Placing Agencies, General Residential Operations (including Residential Treatment Centers as a service type of the General Residential Operations), Independent Foster Group Homes, and Independent Foster Family Homes.

Inspections in Residential Child Care Licensing Operations



Facility Type	2010	2011
Child Placing Agencies	4,572	4,929
CPA Foster Family & Group Homes	2,462	2,497
CPS Foster Family & Group & Adoptive Homes	611	651
General Residential Operation	1,257	1,515
Residential Treatment Center	1,492	1,913
Maternity Homes	25	26
Independent Foster/ Foster Group Homes	54	22
Illegal Operations	15	23
Exemption Request	0	1
Total	10,488	11,577

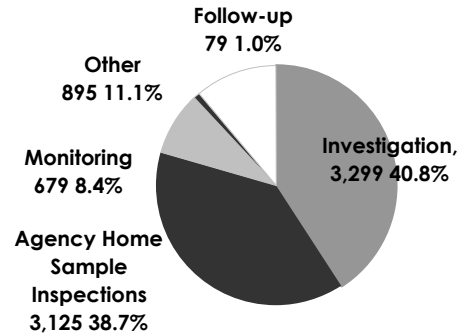
Note: RCCL inspects agency foster homes for two reasons (1) to conduct an investigation; or (2) to determine whether the CPA managing the foster homes is compliant in its verification, monitoring and management of the foster home and the children in care. Foster home inspections for the latter purpose are periodically selected at random from across the state from the DFPS database for inspection.

Inspections in Residential Child Care Licensing Operations by Type of Inspection Fiscal Year 2011

Total Inspections: 11,577

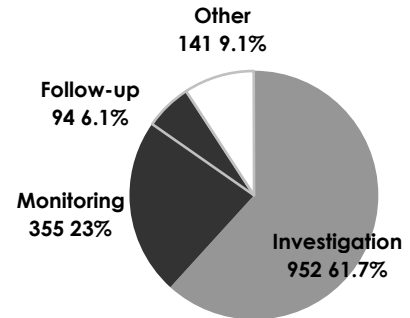
Child Placing Agencies

Inspection Type	Number
Investigation	3,299
Agency Home Sample Inspections	3,125
Monitoring	679
Follow-up	79
Other	895
Total	8,077



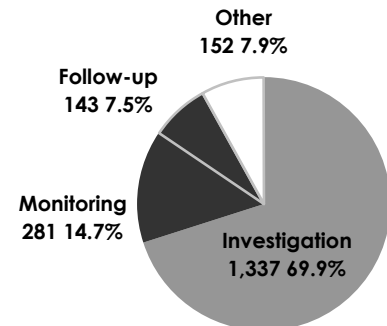
General Residential Operations*

Inspection Type	Number
Investigation	952
Monitoring	355
Follow-up	94
Other	141
Total	1,542



Residential Treatment Centers

Inspection Type	Number
Investigation	1,337
Monitoring	281
Follow-up	143
Other	152
Total	1,913

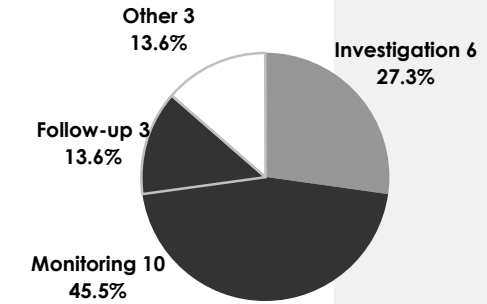


Note: RCCL inspects agency foster homes for two reasons (1) to conduct an investigation; or (2) to determine whether the CPA managing the foster homes is compliant in its verification, monitoring and management of the foster home and the children in care. Foster home inspections for the latter purpose are periodically selected at random from across the state from the DFPS database for inspection.

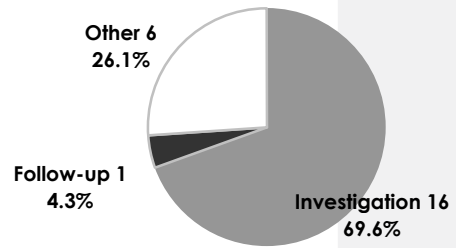
**Includes Maternity Home and Exemption Request Facility Types*

Inspections in Residential Child Care Licensing Operations by Type of Inspection Fiscal Year 2011

Independent Foster/Foster Group Home	
Inspection Type	Number
Investigation	6
Monitoring	10
Follow-up	3
Other	3
Total	22



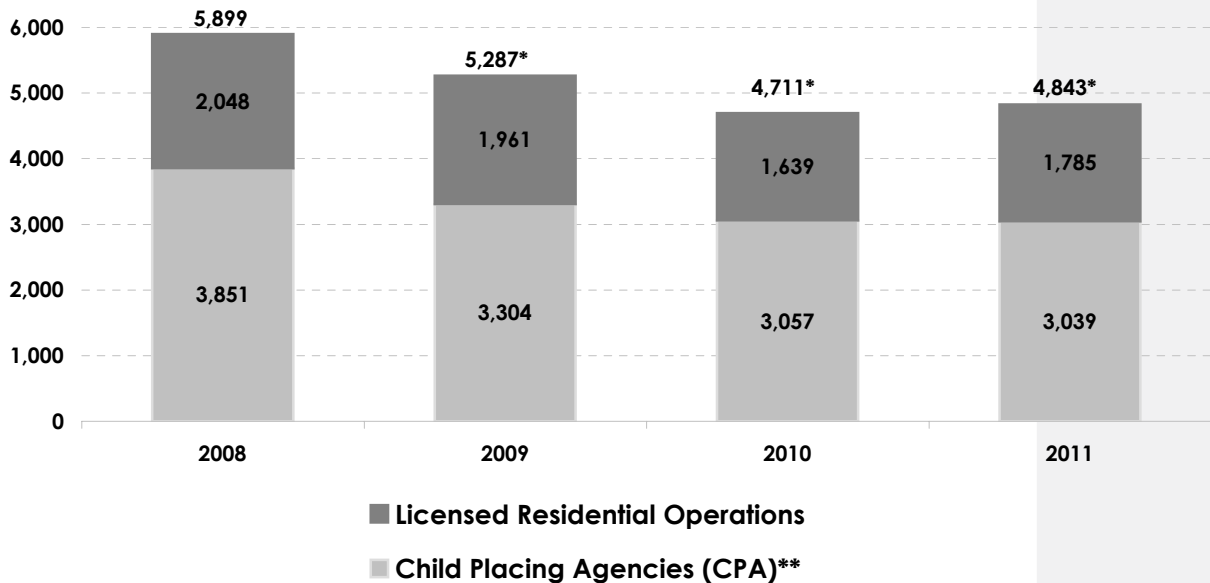
Illegal Operations	
Inspection Type	Number
Investigation	16
Monitoring	0
Follow-up	1
Other	6
Total	23



Note: RCCL inspects agency foster homes for two reasons (1) to conduct an investigation; or (2) to determine whether the CPA managing the foster homes is compliant in its verification, monitoring and management of the foster home and the children in care. Foster home inspections for the latter purpose are periodically selected at random from across the state from the DFPS database for inspection.

**Includes Maternity Home and Exemption Request Facility Types*

Investigations in Residential Child Care Licensing Operations



** Totals include investigations of Illegal Operations and Exemption Requests*

*** Includes homes regulated by Child Placing Agencies*

Investigations in Residential Child Care Licensing Operations Fiscal Year 2011

Region	Child Placing Agencies	Licensed Residential Operations	Exemption Requests	Illegal Operations	Total Investigations
1 Lubbock	145	98	0	0	243
2 Abilene	143	20	1	0	164
3 Arlington	750	134	0	5	889
4 Tyler	119	97	0	0	216
5 Beaumont	88	37	0	1	126
6 Houston	631	551	0	3	1,185
7 Austin	303	308	0	1	612
8 San Antonio	483	423	0	0	906
9 Midland	20	17	0	0	37
10 El Paso	68	8	0	1	77
11 Edinburg	289	92	0	0	381
Other/Unknown	0	0	0	7	7
Total	3,039	1,785	1	18	4,843

Investigations in Residential Child Care Licensing 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	Investigations with a Deficiency Cited
Residential Child Care Licensing Operations							
Child Placing Agencies (CPA)*	350	3,039	1,331	46	3.5%	1,723	527
General Residential Operations	160	767	265	4	1.5%	496	141
Residential Treatment Centers	85	1,012	468	19	4.1%	534	142
Independent Foster/ Foster Group Homes	4	5	1	0	0.0%	4	1
Maternity Homes	8	1	0	0	0.0%	1	1
Subtotal	607	4,824	2,065	69	3.3%	2,758	812
Unlicensed Operations							
Exemption Requests	3	1	0	0	0.0%	0	0
Illegal Operations	27	18	0	0	0.0%	16	4
Subtotal	30	19	0	0	0.0%	16	4
Total	637	4,843	2,065	69	3.3%	2,774	816

* Includes CPA branch offices

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 and Corrective Actions in Residential Child Care Licensing Operations by Region Fiscal Year 2011

Adverse Actions in Residential Child Care Licensing Operations by Region Fiscal Year 2011

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

Corrective Actions in Residential Child Care Licensing Operations by Region Fiscal Year 2011

Region	Evaluation	Probation	Total Corrective Actions
1 Lubbock	0	0	0
2 Abilene	0	0	0
3 Arlington	2	0	2
4 Tyler	0	0	0
5 Beaumont	1	0	1
6 Houston	8	3	11
7 Austin	0	0	0
8 San Antonio	1	0	1
9 Midland	0	0	0
10 El Paso	0	0	0
11 Edinburg	1	0	1
Unknown	0	0	0
State Total	13	3	16

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

Background Checks for Residential Child Care Licensing Operations Fiscal Year 2011

Residential Child Care Licensing Operations	Central Registry Checks	DPS Checks	FBI Checks *
CPAs, CPA Foster Agency Homes	45,644	45,656	17,602
General Residential Operations	11,758	11,758	752
Independent Foster/ Group Homes	190	190	16
Residential Treatment Centers	8,660	8,660	383
Maternity Homes	503	503	22
Total	66,755	66,767	18,775

* 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 illegal child-care operations or CPS Foster and CPS Adoptive homes. Review the definition section for details on who is required to have Central Registry, DPS and FBI checks.

Child Care Administrator Credential Exam Fiscal Year 2011

Licensed Child Care Administrators (LCCA)	46	Passed
	3	Failed
	49	Total Exams
Licensed Child Placing Agency Administrators (LCPA)	59	Passed
	10	Failed
	69	Total Exams

Total number of exams for both licenses for FY11 was 118.

On 8/31/2011 there were:

	Active	Inactive	Total
LCCA	767	181	948
LCPA	410	22	432
Total			1,380

State's Top 10 Standards Deficiencies for Residential Child Care Licensing Operations

Fiscal Year 2009

Rank	Standard Rule*	Description**	Deficiencies	Percent of Total Deficiencies
1	749.607(1)	Employee and caregiver responsibilities-Competency, prudent judgment, self-control in presence of children and when performing assigned tasks	167	2.4
2	745.625(a)(7)	Background checks submitted-every 24 months after first submitted	150	2.1
3	748.507(1)	Employee general responsibilities-Demonstrate competency, prudent judgment, self-control in presence of children and when performing assigned tasks	110	1.6
4	748.3301(a)	Physical Site-Buildings must be structurally sound, clean, and in good repair. Paints must be lead-free	105	1.5
5	749.1953(a)	Corporal Punishment-May not use/threaten corporal punishment, such as hitting/spanking, forced exercise, holding physical position, unproductive work.	88	1.2
6	748.685(a)(4)	Caregiver responsibility - providing the level of supervision necessary to ensure each child's safety and well-being	80	1.1
7	749.2593(a)(3)	Supervision-The caregiver is responsible for ensuring each child's safety and well being, including auditory and/or visual awareness of the child	73	1
8	745.615(a)(8)	Required background check - Applicants for a child-care administrator's license	72	1
9	749.3041(3)	Physical Environment-Foster home must ensure that exits in living areas are not blocked by furniture	62	0.9
10	748.3391(a)	Bathrooms-Must be maintained in good repair & kept clean	60	0.9

Fiscal Year 2010

Rank	Standard Rule*	Description**	Deficiencies	Percent of Total Deficiencies
1	749.607(1)	Employee and caregiver responsibilities-Competency, prudent judgment, self-control in presence of children and when performing assigned tasks	132	2.3
2	749.1953(a)	Corporal Punishment-May not use/threaten corporal punishment, such as hitting/spanking, forced exercise, holding physical position, unproductive work.	109	1.9
3	745.625(a)(7)	Background checks submitted-every 24 months after first submitted	86	1.5
4	748.507(1)	Employee general responsibilities-Demonstrate competency, prudent judgment, self-control in presence of children and when performing assigned tasks	76	1.3
5	748.685(a)(4)	Caregiver responsibility - providing the level of supervision necessary to ensure each child's safety and well-being	58	1
6	745.615(a)(8)	Required background check - Applicants for a child-care administrator's license	57	1
7	749.2593(a)(3)	Supervision-The caregiver is responsible for ensuring each child's safety and well being, including auditory and/or visual awareness of the child	55	1
8	748.3301(a)	Physical Site-Buildings must be structurally sound, clean, and in good repair. Paints must be lead-free	51	0.9
9	749.1521(1)	Medication Storage-Store medication in a locked container	48	0.8
10	749.1541(a)	Medication Record-Maintain cumulative record of prescription medications dispensed to child, include nonprescription meds for child under five yrs old	47	0.8

Fiscal Year 2011

Rank	Standard Rule*	Description	Deficiencies	Percent of Total Deficiencies
1	749.1953(a)	Corporal Punishment-May not use/threaten corporal punishment, such as hitting/spanking, forced exercise, holding physical position, unproductive work.	132	2.3
2	745.625(7)	Background checks submitted - Every 24 months after each person's background check was first submitted	130	2.2
3	749.607(1)	Employee and caregiver responsibilities-Competency, prudent judgment, self-control in presence of children and when performing assigned tasks	78	1.3
4	745.615(a)(7)	Required background checks - Persons 14 years or older, other than clients, who will regularly or frequently be present while children are in care	75	1.3
5	748.685(a)(4)	Caregiver responsibility - providing the level of supervision necessary to ensure each child's safety and well-being	67	1.2
6	749.1521(1)	Medication Storage-Store medication in a locked container	60	1
7	748.3301(a)	Physical Site-Buildings must be structurally sound, clean, and in good repair. Paints must be lead-free	59	1
8	748.507(1)	Employee general responsibilities-Demonstrate competency, prudent judgment, self-control in presence of children and when performing assigned tasks	53	0.9
9	748.3301(i)	Physical Site-Equipment and furniture must be safe for children and must be kept clean and in good repair	50	0.9
10	749.2593(a)(3)	Supervision-The caregiver is responsible for ensuring each child's safety and well being, including auditory and/or visual awareness of the child	49	0.8

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

**As described in FY 2011

Note: Does not include assessment deficiencies.

